

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TWENTY-THIRD DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 14, 2003

The Senate was called to order at 9:30 o'clock A.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Hines	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—31		

ABSENT

Bean	Dardenne	Michot
Chaisson	Holden	Tarver
Cravins	Irons	
Total—8		

The President of the Senate announced there were 31 Senators present and a quorum.

Prayer

The prayer was offered by Senator C. Jones, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator C. Jones, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 14, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 691—

BY SENATORS ULLO AND SCHEDLER
AN ACT

To enact R.S. 37:1737, relative to immunity from liability; to exempt from liability those engaged in certain "Amber Alert" activities; to provide immunity to state and local law enforcement, radio, television and cable operators, the Lottery Corporation and those associations and foundations engaged in the "Amber Alert" effort; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 14, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 1004—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 29:27(B)(introductory paragraph) and (1) and to repeal R.S. 17:157(C) and R.S. 47:820.5(A), relative to tolls on the Sunshine Bridge; to repeal the tolls on the Sunshine Bridge; to repeal certain exemptions from the tolls on the Sunshine Bridge; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1005—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.71, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Louisiana Animal Welfare Commission; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1378—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 39:100.1(C) and to enact R.S. 39:100.1(D) and R.S. 47:1602.1, relative to the Sports Facility Assistance Fund; to provide for the use of monies in the fund; to provide for the attribution of income taxes to the fund; to provide for penalties for failure of nonresident professional athletes and professional sports franchises to file income tax returns; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1623—

BY REPRESENTATIVES LEBLANC, LANCASTER, MURRAY,
FAUCHEUX, AND THOMPSON

AN ACT

To enact Chapter 8-B of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1400.21, relative to special treasury funds; to establish the Help Louisiana Vote Fund as a special fund in the state treasury; to establish accounts within the fund for certain purposes; to provide for deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 14, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 152—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS,
MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND
THEUNISSEN

A CONCURRENT RESOLUTION

To commend Reverend Monsignor Irving A. DeBlanc of the Catholic Diocese of Lake Charles upon the sixty-fifth anniversary of his ordination to the priesthood.

HOUSE CONCURRENT RESOLUTION NO. 153—

BY REPRESENTATIVE DOERGE

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Judge Charles A. "Corky" Marvin, and to recognize his paramount contributions to the state, to his family and friends, and to his community.

HOUSE CONCURRENT RESOLUTION NO. 154—

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR
SCHEDLER

A CONCURRENT RESOLUTION

To commend Coach Wayne Grubb of Slidell High School for eighteen years of remarkable leadership and service.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Smith asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 152—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS,
MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND
THEUNISSEN

A CONCURRENT RESOLUTION

To commend Reverend Monsignor Irving A. DeBlanc of the Catholic Diocese of Lake Charles upon the sixty-fifth anniversary of his ordination to the priesthood.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hines	McPherson
Barham	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Gautreaux	Malone	Ullo
Heitmeier	Marionneaux	
Total—26		

NAYS

Total—0

ABSENT

Adeley	Dardenne	Lentini
Bajoie	Fields	Michot
Bean	Fontenot	Tarver
Chaisson	Holden	
Cravins	Irons	
Total—13		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 153—

BY REPRESENTATIVE DOERGE

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Judge Charles A. "Corky" Marvin, and to recognize his paramount contributions to the state, to his family and friends, and to his community.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hines	McPherson
Barham	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Johnson	Schedler

Dean
Dupre
Ellington
Gautreaux
Heitmeier
Total—26

Jones, B
Jones, CD
Lambert
Malone
Marionneaux

Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Adley
Bajoie
Bean
Chaisson
Cravins
Total—13

Dardenne
Fields
Fontenot
Holden
Irons

Lentini
Michot
Tarver

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 154—

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend Coach Wayne Grubb of Slidell High School for eighteen years of remarkable leadership and service.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Boissiere
Cain
Dean
Dupre
Ellington
Gautreaux
Heitmeier
Total—26

Hines
Hollis
Hoyt
Johnson
Jones, B
Jones, CD
Lambert
Malone
Marionneaux

McPherson
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Adley
Bajoie
Bean
Chaisson
Cravins
Total—13

Dardenne
Fields
Fontenot
Holden
Irons

Lentini
Michot
Tarver

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 139—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the civil jurisdiction of the City Court of Lake Charles; to increase the jurisdictional amount of the court; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 196—

BY REPRESENTATIVES ANSARDI, ALARIO, BROOME, BRUCE, BRUNEAU, CAZAYOUX, DAMICO, DIEZ, DURAND, FAUCHEUX, FRITH, GUILLORY, HILL, ILES, L. JACKSON, M. JACKSON, KATZ, LANCASTER, LANDRIEU, MARTINY, MCDONALD, MURRAY, ODINET, POWELL, QUEZAIRE, ROMERO, SCHWEGMANN, SHAW, JACK SMITH, SNEED, STRAIN, TOOMY, WALKER, AND WELCH AND SENATORS HAINKEL, HOLDEN, HOLLIS, AND THOMAS

AN ACT

To enact Part VI-C of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2176 through 2180, relative to alternate health care models; to provide with respect to the licensure of alternate health care models; to provide procedures and fees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 411—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:1541, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the membership of the board of trustees; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 591—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 18:102, relative to persons ineligible to register to vote; to provide for the eligibility of a person convicted of a felony prior to adoption of the 1974 Constitution of Louisiana who has fully satisfied and completed his sentence to register to vote and vote; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 711—

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To enact R.S. 33:4548.5(A)(20) and 4548.6(N), relative to the powers of the Louisiana Local Government Environmental Facilities and Community Development Authority; to provide that the authority may make loans to political subdivisions under any loan guaranty program of any department or agency of the United States; to authorize political subdivisions to borrow from the authority; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 786—

BY REPRESENTATIVES DANIEL AND WELCH

AN ACT

To repeal Section 4 of Act No. 47 of the 2002 First Extraordinary Session of the Legislature, relative to the Capitol House Taxing District; to remove the provision making the law providing for the district effective upon the transfer of property of the district

to the East Baton Rouge City-Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 809—

BY REPRESENTATIVE GUILLORY
AN ACT

To amend and reenact R.S. 33:120.8, relative to the Calcasieu Parish Planning and Zoning Board; to increase the maximum per diem authorized to be paid to such members for attending board meetings and to reduce the number of board meetings for which per diem may be paid; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 915—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:822(E), relative to the Teachers' Retirement System of Louisiana; to provide with respect to election procedures for members of the board of trustees; to provide for dissemination of election information to system members; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 918—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact Part VI of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:91 through 94, relative to birth certificates; to provide for the issuance of certificates of stillbirth; to provide for delayed certificates of stillbirth; to provide for certified copies and fees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 954—

BY REPRESENTATIVES WINSTON, SCHWEGMANN, STRAIN, ERDEY,
MCVEA, NEVERS, AND POWELL
AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Florida Parishes Human Services Authority; to provide for powers, duties, and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 964—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act No. 939 of the 1986 Regular Session of the Legislature, and Act No. 40 of the 1989 Regular Session of the Legislature, relative to the taxes levied by the governing authority of Lafayette Parish upon the occupancy of hotel rooms and overnight camping facilities within the parish, the proceeds of which are used to support the Lafayette Parish Convention and Visitors Commission; to provide that the amount of such taxes shall not exceed four percent of the rent or fee charged for such occupancy; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 967—

BY REPRESENTATIVE WELCH
AN ACT

To amend and reenact R.S. 46:153.3(B)(2)(a)(introductory paragraph) and (D)(5)(a) and to enact R.S. 46:153.3(D)(5)(d)(xii) and (e), relative to the medical assistance drug program; to exempt from the prior approval requirement those medications that can be used as either primary or rescue therapy in emergency treatment of severe allergic reactions; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 986—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 11:163(B) and to enact R.S. 11:163(C), relative to the Louisiana State Employees' Retirement System; to provide for purchase of service credit for time on leave without pay; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1085—

BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 33:3819(D), relative to the Ward Two Water District of the Parish of Livingston; to increase the maximum per diem authorized to be paid to members of the governing board of the district for attending board meetings; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1127—

BY REPRESENTATIVE LANDRIEU
AN ACT

To enact R.S. 33:9091.6, to create the Upper Hurstville Security District in the parish of Orleans; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1204—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2180.2(C) and 2180.3(C)(3) and to enact R.S. 11:2178.1(C)(14) and 2180.5, relative to the Sheriffs' Pension and Relief Fund; to provide for calculation of Back-DROP benefits to assure compliance with the Internal Revenue Code, for an increase in the annual compensation limit subject to federal law that is used for purposes of certain calculations used in determining benefits, for the definition of "eligible retirement plan" for purpose of transfers of benefits, and for creation of an excess benefit plan; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1235—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 33:4574.1-A(I), relative to the occupancy taxes levied by certain tourist commissions; to authorize certain tourist commissions to increase such taxes; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1278—

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND TRICHE
AN ACT

To amend and reenact R.S. 11:103(B)(3)(e)(i), (ii), and (iv), relative to the Municipal Police Employees' Retirement System; to provide for the determination of the employer contribution rate; to change the period for amortization of certain changes in actuarial liability from fifteen years to thirty years; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1294—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:1310.5(B), relative to disputed workers' compensation claims; to provide for appellate procedures of disputed claims; to permit the appeals to be taken within certain time periods; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1306—

BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 42:3.2, to prohibit a public official from using public funds for certain public service announcements if he has qualified as a candidate for election; to provide for penalties for violation of this provision; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1347—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:717(C), (D)(1) and (2)(e), (F)(introductory paragraph), and (H) and 718(A), (B), and (I)(2) and to repeal R.S. 13:717(E) and 718(G), relative to the offices of commissioner for the Twenty-Fourth Judicial District Court; to provide for the qualifications and salary of the commissioners; to repeal the authority of the commissioners to

hear criminal trials; to repeal the termination date of the office of commissioner; to require the sheriff of Jefferson Parish to collect the premium fee from each commercial surety underwriting criminal bail bonds in Jefferson Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1426—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:449(C), 788(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1437—

BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:250.39, relative to health insurance; to provide with respect to underpayment of health insurance claims; to provide relative to retroactive contractual rate adjustments negotiated between a health insurance issuer and a health care provider; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1438—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:245(A) and 246(1), (2), and (9), relative to a pilot health insurance program; to provide for small employers; to provide for eligibility; to provide for health insurance issuers; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1606—

BY REPRESENTATIVES MORRISH AND FAUCHEUX
AN ACT

To amend and reenact R.S. 22:230.5(C) and to enact R.S. 22:230.5(D) and 2016.1, relative to health insurance; to provide with respect to health insurance benefits and options mandated by law; to provide for a moratorium on additional statutory mandates; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1626—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:723.1(B), relative to the Teachers' Retirement System of Louisiana; to provide for actuarial purchase of service credit for certain service performed under contract; to provide relative to the time period during which such purchase may be made and procedures therefor; to provide an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1662—

BY REPRESENTATIVES K. CARTER AND PEYCHAUD
AN ACT

To enact R.S. 17:29, relative to school social workers; to require the employment of a full-time social worker in each city, parish, and other local public school identified as a failing school in certain parishes; to provide for definitions; to provide for applicability; to provide for effectiveness; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1684—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:301 through 309, relative to state and statewide retirement systems; to reestablish the Commission on Public Retirement; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1686—

BY REPRESENTATIVES DEWITT, CRANE, FUTRELL, KATZ, PITRE, SHAW, TUCKER, DOWNER, AND McDONALD
AN ACT

To enact R.S. 17:416.1(D) and R.S. 32:407(E) and 431, relative to drivers' licenses and learners' licenses; to prohibit issuance of a license for one year to a student who is expelled or suspended from school for ten or more consecutive school days for committing certain infractions or who withdraws from school under certain circumstances; to require notification to the office of motor vehicles when a student is expelled or suspended from school or withdraws from school under certain circumstances; to provide for suspension of a driver's license; to require notification of such suspension; to allow reinstatement of driving privileges under certain circumstances; to provide for an appeal process; to provide for hardship; to prohibit an increase in insurance rates due to such license suspension; to provide for the promulgation of rules; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1688—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of commissioners and commissioners-in-charge; to provide for commissioners and commissioners-in-charge to be paid timely for their services on election day; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1718—

BY REPRESENTATIVES ANSARDI, TOOMY, AND TUCKER
AN ACT

To amend and reenact R.S. 34:2021(D), 2022(A), (C)(2)(introductory paragraph), and (I), 2024, 2027, and 2028 and to enact R.S. 34:2022(K) and 2033 through 2037, relative to the Jefferson Parish Economic Development and Port District; to provide for rights and powers; to provide for sale of bonds; to provide for right of expropriation; to provide for general compliances; to create and provide for additional economic development; to create and provide for additional powers; to create and provide

for revenue bonds; to create and provide for exemption from ad valorem taxes; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1741—

BY REPRESENTATIVE PINAC
AN ACT

To enact Chapter 8-A of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:871 through 878, relative to delivery sales of cigarettes; to provide for definitions; to provide relative to the regulation of sales of cigarettes when such sale is made pursuant to an order placed by means of telephone or other voice transmission, mail or other delivery service, or the Internet or online service or when delivery is made by mail or by delivery service; to provide for penalties for violations; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1780—

BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 22:629(C), relative to insurance contracts; to provide for arbitration clauses; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1788—

BY REPRESENTATIVE MORRISH AND SENATOR DARDENNE
AN ACT

To enact Subpart B of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1430 through 1430.17, and to repeal R.S. 22:1406.1 through 1406.13 and 1431 through 1445, relative to residential and commercial property insurance; to provide for the Louisiana Citizens Property Insurance Corporation; to provide for the FAIR Plan; to provide for the Coastal Plan; to provide for a board of directors; to provide for the Louisiana Insurance Rating Commission; to provide for corporate powers; to provide for certain immunity; to provide for a plan of operation; to provide for assessments; to provide for charges and surcharges; to provide for participating insurers; to provide for eligibility; to provide for insurance; to provide for rates; to provide for contributions by the state; to provide for plan deficits; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1797—

BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact R.S. 3:3105(B) and to enact R.S. 3:3107, relative to the importation of cervid species; to provide for entry requirements of cervid species into Louisiana; to provide for penalties; to provide for quarantines; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

HOUSE BILL NO. 1841—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 56:1685(C)(20), relative to Caney Creek Lake State Park; to rename the state park Jimmie Davis State Park; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1852—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1874—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To enact R.S. 40:1300.143(3)(a)(viii), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 1877—

BY REPRESENTATIVE GARY SMITH

AN ACT

To enact R.S. 22:214.3(C), relative to health insurance; to require health care providers and hospitals to provide certain information, including a claim form, to patients upon request; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1881—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:449(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1890—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 17:1966, relative to extracurricular activities; to permit students attending the Louisiana School for Math, Science, and the Arts to be eligible to participate in extracurricular activities at certain state-approved nonpublic schools; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1894—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 56:302.9.1(A), relative to charter boat licenses; to provide that such licenses are required only for motorized vessels; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1905—

BY REPRESENTATIVES CURTIS, ALEXANDER, CROWE, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, JANE SMITH, STELLY, SWILLING, AND WINSTON

AN ACT

To enact R.S. 17:81(O), relative to powers and duties of city and parish school boards; to prohibit a school board member from using his authority of office to directly or indirectly compel or coerce personnel decisions or employee decisions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1965—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 27:307(F), relative to the Video Poker Devices Control Law; to provide with respect to rules and regulations; to provide for licensees to participate in the promotion of device play with the potential for an enhanced compensation other than that awarded by the gaming device; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 62—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact Code of Civil Procedure Arts. 683(C), 732(C), 4501 and 4502, relative to the proper party to enforce a right of, or an obligation against an unemancipated minor; to provide that either parent may represent the minor whenever the other parent is mentally incompetent, committed, interdicted, imprisoned, or an absentee; to provide that, with permission of the judge, either parent may represent the minor whenever the other parent fails or refuses to do so; to provide that either the father or the mother has the powers of a tutor to represent a minor; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 62 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "Procedure" delete the remainder of the line and delete lines 3 through 10, and insert: "Art. 4501, relative to representation of minors; to authorize the mother to represent the minor in certain circumstances; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 12, after "Procedure" delete the remainder of the line and on line 13 delete "4502 are" and insert "Art. 4501 is"

AMENDMENT NO. 3

On page 1, delete lines 14 and 15, delete page 2, and on page 3, delete lines 1 and 2

AMENDMENT NO. 4

On page 3, line 9, after "mother" insert "when the father is mentally incompetent, committed, interdicted, or is an absentee."

AMENDMENT NO. 5

On page 3, delete lines 13 through 21

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 174—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 30:2157, relative to environmental quality; to provide for changes in emergency response standards for permits for a solid disposal facility; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 174 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 30:2157" and before "," insert "and to enact R.S. 30:2157.1"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert "type 2 and a type 3"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" and before "to" insert "and R.S. 30:2157.1 is hereby enacted"

AMENDMENT NO. 4

On page 1, line 9, after "A." delete "Prior" and insert "Except as provided in R.S. 30:2157.1, prior"

AMENDMENT NO. 5

On page 1, delete lines 13 through 15 in their entirety and insert

"* * *

AMENDMENT NO. 6

On page 2, delete lines 1 through 24 in their entirety and insert the following:

"2157.1 Type 2 and Type 3 Emergency Response Standards

R.S. 30:2157.1 is all proposed new law.

A. Prior to the issuance of the permit, an applicant for a type 2 or type 3 solid waste disposal facility shall review and consider the ability of the local emergency response agencies and medical care facilities to respond to a hazardous material incident at the facility subject to the permit.

B. The secretary shall promulgate rules designed to develop meaningful, understandable and concise emergency response standards for type 2 and type 3 solid waste facilities.

C. The applicant shall obtain certification from the local fire department as to whether or not that department has the ability to meet the response requirements as set forth in emergency response regulations promulgated by the secretary. The applicant shall obtain certification from the local emergency medical services agency as to whether or not that agency has the ability to meet the response requirements as set forth in emergency response regulations promulgated by the secretary. The applicant shall obtain certification from the local hospital as to whether they are able to accept and treat patients who are contaminated with hazardous materials.

D. In the event any such agency or hospital cannot certify that it is able to meet the requirements referenced in Subsection C of this Section, the applicant shall identify in the permit application the closest fire department, emergency medical service and hospital that can provide the services listed in Subsection C of the Section. The department shall review and consider these agencies and hospitals to be the emergency response agencies and medical care facilities to respond to a hazardous material incident at the facility as a condition of the permit."

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 180—

BY SENATOR FIELDS

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:743 through 749, R.S. 15:1225, and R.S. 36:4(B)(1)(r), relative to wrongfully incarcerated prisoners; to create the Wrongfully Incarcerated Compensation Board; to provide for definitions; to place such board under the administration of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for membership of such board; to prohibit compensation for such members; to require payment of per diem and travel expenses for such members; to provide for eligibility of claimants; to provide relative to form of application; to establish time limits of application; to provide for powers and duties of the board; to authorize the promulgation of rules and regulations by the board; to authorize public hearings for determination of compensation; to authorize payment of compensation upon findings by the board that such payment is justified; to authorize emergency awards at the discretion of the board and under certain circumstances; to limit the amount of such emergency awards; to create the Wrongfully Incarcerated Compensation Fund; to establish fraudulent procurement or counseling fraudulent procurement of compensation from the fund as a crime and provides penalties; to authorize payment of attorney fees; to limit the amount of such fees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 180 by Senator Fields

AMENDMENT NO. 1

On page 6, between lines 22 and 23, insert the following: "C. Any person applying for relief under the provisions of this Section shall

waive all rights to sue any district attorney, assistant district attorney, employee of a district attorney's office, attorney general, assistant attorney general, employee of an attorney general's office, judge, juror, law enforcement officer, witness or any other person involved in the prisoner's conviction for which he served a sentence, with a notarized waiver. The notarized waiver shall be attached to the form provided pursuant to Subsection b of this Section."

AMENDMENT NO. 2

On page 7, line 22, change "shall" to "may" and between "compensation" and "for" insert "not to exceed twenty-five thousand dollars"

On motion of Senator B. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 182—
BY SENATOR C. JONES

A JOINT RESOLUTION

Proposing to amend Article IV, Section 8 of the Constitution of Louisiana, relative to the powers and duties of the attorney general; to provide that the attorney general shall investigate, in cooperation with the state police, and prosecute any homicide involving a state elected official; to provide for definitions; and to specify an election for submission of the proposition to electors; and provide a ballot proposition.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 182 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 4, after "general" change "shall" to "may" and after "with the" insert "district attorney, sheriff, and municipal police with jurisdiction and the"

AMENDMENT NO. 2

On page 2, line 14, after "**general**" change "**shall**" to "**may**"

AMENDMENT NO. 3

On page 2, line 15, after "**of the**" insert "**district attorney, sheriff, and municipal police with jurisdiction and the**"

AMENDMENT NO. 4

On page 3, line 4, after "general" change "shall" to "may"

AMENDMENT NO. 5

On page 3, line 5, after "of the" insert "district attorney, sheriff, and municipal police with jurisdiction and the"

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 244—
BY SENATOR LENTINI

AN ACT

To enact Code of Criminal Procedure Art. 905.5.1, relative to sentencing in capital cases; to provide relative to a sentence of death; to prohibit such sentencing for a person determined to be mentally retarded; to require written notice relative to a claim of mental retardation; to provide for the release of certain information relative to the issue of mental retardation after such notice is given; to provide for a waiver of confidentiality and privilege to such information; to authorize independent examination of an individual making a claim of mental retardation; to provide for certain sanctions against a claimant

who refuses to submit to such examination; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 244 by Senator Lentini

AMENDMENT NO. 1

On page 2, delete lines 9 through 24 and insert the following:

"(1)(a) "Mental retardation" means a disability characterized by significant limitations in both intellectual functioning and adaptive behavior as expressed in conceptual, social, and practical adaptive skills.

(b) A diagnosis of one or more of the following conditions does not necessarily constitute mental retardation:"

AMENDMENT NO. 2

On page 3, delete lines 21 through 27

AMENDMENT NO. 3

On page 4, line 1, change "(4)" to "(2)"

AMENDMENT NO. 4

On page 4, at the beginning of line 5, change "B" to "C"

AMENDMENT NO. 5

On page 4, at the beginning of line 9, change "C" to "D"

AMENDMENT NO. 6

On page 4, at the beginning of line 16, change "D" to "E"

AMENDMENT NO. 7

On page 4, at the beginning of line 24, change "E" to "F"

AMENDMENT NO. 8

On page 5, at the beginning of line 5, change "F" to "G"

AMENDMENT NO. 9

On page 5, at the beginning of line 16, change "G" to "H"

AMENDMENT NO. 10

On page 5, delete lines 24 through 26

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 277—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 37:1731(A)(2)(a), relative to emergency care at public and private hospitals; to provide for emergency room patients; to provide for persons not primarily employed as emergency room personnel; to provide a limitation of liability to certain persons providing gratuitous emergency care; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 277 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:1731(A)(2)(a)" insert "and to enact R.S. 37:1731(A)(2)(c) and (d)"

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AMENDMENT NO. 2

On page 1, line 6, after the semicolon ";," and before "and" insert "to define "on-call physician";"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" insert "and R.S. 37:1731(A)(2)(c) and (d) are hereby enacted"

AMENDMENT NO. 4

On page 1, line 13, after "physician" and before "or" insert a comma "," and insert "**on-call physician.**"

AMENDMENT NO. 5

On page 1, line 13, after "surgeon" and before "or" insert "**or oral and maxillofacial surgeon.**"

AMENDMENT NO. 6

On page 1, at the end of line 13, after "medical" insert "**or dental**"

AMENDMENT NO. 7

On page 2, at the end of line 2, delete the colon ":"

AMENDMENT NO. 8

On page 2, at the beginning of line 3, delete "**(i) In**" and insert "in"

AMENDMENT NO. 9

On page 2, at the end of line 10, delete the semicolon ";" and "**or**" and insert a period "."

AMENDMENT NO. 10

On page 2, delete lines 12 through 17 in their entirety and insert the following:

* * *

(c) An on-call physician or oral and maxillofacial surgeon who attends, assists,

AMENDMENT NO. 11

On page 2, at the beginning of line 19, delete "without expectation of payment from such a patient" and insert the following: "including any appropriate standard of care treatment necessitated by the patient's emergent condition"

AMENDMENT NO. 12

On page 2, between lines 24 and 25, and insert the following:

"(d) For purposes of this Subsection, "on-call physician" means a physician, or oral and maxillofacial surgeon or his professional medical or dental corporation or limited liability company, who is not primarily employed or contracted by the hospital or other licensed medical health care facility to treat emergency room or department patients, but whose actual duties may include treating emergency room or department patients due to the requirements of 42 C.F.R. 489.24 or R.S. 40:2113.4 to respond to the emergency room or department on an on-call basis, without expectation of payment from or on behalf of the patient, and as a condition of the privilege or ability to practice his profession within the hospital or facility."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 714, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 303—

BY SENATOR MOUNT

AN ACT

To amend and reenact Title V of the Children's Code, to be comprised of Articles 501 and 502, 507 through 514, 524 through 529, and 538 through 540; and to repeal Children's Code Article 503, relative to services to families; to provide for the use of multidisciplinary investigative teams as a response to the investigation and disposition of cases of child abuse within each judicial district; to provide for definitions; to provide for

the membership of each team; to provide for the development and content of interagency protocols for each team for the investigation of allegations of child abuse; to provide for the qualifications of a forensic interviewer of children; to provide for the adoption of a confidentiality policy for a multidisciplinary team; to provide for immunity from civil or criminal liability for a team member; to provide for the establishment of child advocacy centers to encourage agency cooperation and to expedite the resolution of abuse allegations; to establish the responsibilities, confidentiality policy and immunity from civil or criminal liability for the child advocacy centers; to revise certain statutory provisions regarding the Children's Advocacy Clearinghouse; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 303 by Senator Mount

AMENDMENT NO. 1

On page 6, line 11, after "child" and before "which" insert "in accordance with their agency scope of services,"

AMENDMENT NO. 2

On page 8, delete lines 23 through 25, and insert the following:

"(9) Administrative procedures, including the scheduling of team meetings and the designation of leadership roles."

AMENDMENT NO. 3

On page 9, line 2, after "other" delete "standards and"

AMENDMENT NO. 4

On page 14, at the end of line 10, after "districts" insert "or parts thereof"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 372—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 15:587(B), relative to criminal identification and information; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to provide relative to finger printing services by such bureau under certain circumstances; to authorize fees for such services; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 372 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 8, after "any" delete the remainder of the line and lines 9, 10, and 11

AMENDMENT NO. 2

On page 2, at the beginning of line 12 delete "part of any regulatory or licensing scheme" and insert in lieu thereof "individual"

On motion of Senator Cravins, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 447—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 30:2154(B)(7), and enact R.S. 30:2154(B)(6), relative to the disposal of solid waste; to require local governing authorities to obtain an annual permit from the Department of Environmental Quality before disposing of solid waste in a location outside the boundaries of the governing authority; to provide for criterion; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 447 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "and" and before "enact" insert "to"

AMENDMENT NO. 2

On page 1, line 4, after "authorities" insert "in parishes with populations between seventy-seven thousand and eighty-eight thousand,"

AMENDMENT NO. 3

On page 2, line 1, after "authorities" insert "in parishes with a population between seventy-seven thousand and eighty-eight thousand based on the last decennial census,"

AMENDMENT NO. 4

On page 2, line 1, delete "disposing" and insert "the disposal, land farming or other beneficial use"

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 448—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 27:311(F), relative to Video Draw Poker Devices Control Law; to provide with respect to licensing by division; to provide that a device owner shall not be required to maintain minimum balance or security under certain conditions; to provide for fines; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 448 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 27:318(A) and to"

AMENDMENT NO. 2

On page 1, line 5, after "fines;" insert "to provide for the distribution of device revenues at licensed establishments;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete "R.S. 27:311(F) is hereby enacted and insert in lieu thereof "R.S. 27:318(A) is hereby amended and reenacted and R.S. 27:311(F) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 2, after line 8, insert the following:

""§318. Distribution of device revenues; particular licensed establishments; pari-mutuel wagering facilities

A.(1) ~~When the~~ The owner of the licensed establishment is ~~not the licensed device owner of the devices placed in or on his premises; one-half of the monthly net device revenues received by the establishment owner, after deduction of one-twelfth the estimated total of the annual establishment fees plus one hundred dollars per device per month and any fee or tax levied by the local governing authority;~~ shall pay twenty percent of the net device revenue derived from the operation of devices at that licensed establishment to shall be used to supplement purses for horsemen as provided in Subsection B of this Section, ~~and shall be added to those presently available under R.S. 4:183. Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.~~

(2) ~~When the owner of the licensed establishment is the licensed device owner of the devices placed in or on his premises, one-half of the monthly net device revenues received by the establishment owner in excess of five hundred dollars shall be used to supplement purses for horsemen as provided in Subsection B of this Section and shall be added to those presently available under R.S. 4:183. Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.~~

* * *

On motion of Senator B. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 454—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 9:4103(A), relative to alternative dispute resolution; to provide for the referral of a case to mediation by the court; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 477—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(j) and 304, and to enact R.S. 27:301(B)(16) and 302(E), relative to the Video Draw Poker Devices Control Law; to provide with respect to video draw poker; to provide for definitions; to provide for description and specifications; to provide for limitation on amount of money played and value of prizes; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 477 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 27:302(A)(5)(j) and 304, and to"

AMENDMENT NO. 2

On page 1, line 3, after "27:301(B)(16)" and before the comma "," delete "302(E)" and insert in lieu thereof "302(A)(5)(p)"

AMENDMENT NO. 3

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On page 1, at the end of line 5 delete "to provide" and at the beginning of line 6 delete "for limitation on amount of money played and value of prizes;"

AMENDMENT NO. 4

On page 1, line 9, after "Section 1." delete the remainder of the line and lines 10 and 11, and insert in lieu thereof "R.S. 27:301(B)(16) and R.S. 27:302(A)(5)(p) are hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 2, line 4, after "(16)" change "Video Poker" to "Video draw poker"

AMENDMENT NO. 6

On page 2, line 6, after "game" and before "which" delete the comma "," and insert in lieu thereof a period "." and delete the remainder of the line and line 7.

AMENDMENT NO. 7

On page 2, delete lines 16 through 27 and insert in lieu thereof:

"R.S. 27:302(A)(5)(p) is all proposed new law.

(p) Notwithstanding the provisions of R.S. 27:302(A)(5)(b), (c), and (d) when they are in conflict, multi-hand games shall be an authorized game for play when approved by an authorized device testing laboratory and the division.
* * *

AMENDMENT NO. 8

On page 3, delete lines 1 through 9.

On motion of Senator B. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 480—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 15:542.1(H)(1) and 572(B), relative to sex offenses; to provide relative to required registration of sex offenders; to limit certain exemptions from such registration to a pardon by the governor; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 480 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 16, before "542.1" insert "15:"

AMENDMENT NO. 2

On page 2, line 17, before "542.1" insert "15:"

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 502—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to the crime of simple rape; to revise one of a set of circumstances that makes an act of sexual intercourse deemed to be without lawful consent; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 511—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 40:967(F)(3), relative to the penalties for possession of GHB (gamma hydroxybutyric acid) and analogues of GHB to eliminate inaccurate references to Schedule II(D)(2); and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 511 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 40:967(F)(3)" to "R.S. 40:961(8) and 967(F)(3), relative to controlled dangerous substances; to provide"

AMENDMENT NO. 2

On page 1, line 4, after the semicolon ";," add "to provide relative to the definition of a controlled substance analogue;"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 40:967(F)(3) is" to "R.S. 40:961(8) and 967(F)(3) are"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, add the following:

"§961. Definitions

As used in this Part, the following terms shall have the meaning ascribed to them in this Section unless the context clearly indicates otherwise:

* * *

(8) "Controlled substance analogue" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled dangerous substance in Schedule I or II of R.S. 40:964; which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled dangerous substance in Schedule I or II; or with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled dangerous substance in Schedule I or II. Such term shall not include ~~a controlled dangerous substance~~; any substance for which there is an approved new drug application; with respect to a particular person any substance, if an exemption is in effect for investigational use, for that person, under the federal Food, Drug, and Cosmetic Act (21 U.S.C.A. §355) to the extent conduct with respect to such substance is pursuant to such exemption; or any substance to the extent not intended for human consumption before an exception takes effect with respect to that substance.

* * *

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 522—

BY SENATOR C. JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1 (A)(1), (H)(3), and (K) and R.S. 15:151.2 and to enact Code of Criminal Procedure Art. 926.1(A)(3) and 930.7(D), relative to post conviction relief; to provide relative to DNA testing; to extend the period of time in which an application for post conviction relief through DNA testing can be made; to require appointment

of counsel for an indigent petitioner for such relief; to create the Court Appointed Counsel for Post-Conviction Relief for Indigents in Non-capital Cases Fund; to place such fund under the authority of the Indigent Defense Assistance Board; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 522 by Senator C. Jones

AMENDMENT NO. 1

On page 3, line 18, after "legislature." insert **"No other public money may be used to pay for court appointed counsel for applicants applying under Article 926.1, authorized under the provisions of this Article."**

AMENDMENT NO. 2

On page 3, line 22, delete "Code of Criminal Procedure"

AMENDMENT NO. 3

On page 3, line 23, after "indigent" and before the comma "(,)" insert **"and the petitioner is applying for relief under Article 926.1"**

AMENDMENT NO. 4

On page 4, line 6, delete **"930.1, respectively."** and insert in lieu thereof **"and 930.7(D), respectively. The board shall adopt rules for the administration of the funds."**

On motion of Senator B. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 594—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 30:2154(B)(1)(a) and the introductory paragraph of (b) and to enact R.S. 30:2154(B)(9), relative to environmental quality; to provide for the disposal of sewage or treated waste water; to provide for a definition; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 594 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 5, after "definition;" insert "to provide for limitations;"

AMENDMENT NO. 2

On page 2, line 14, after "system" insert "," and after "40:1154" insert ","

AMENDMENT NO. 3

On page 2, line 17, after "Subsection" insert ","

AMENDMENT NO. 4

On page 2, between lines 20 and 21, insert the following: "(c) The provisions of this Paragraph shall apply only to new or reconditioned systems purchased or installed after the effective date of this Act."

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 613—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 46:236.5(B)(1), relative to public assistance; to provide for the establishment of paternity and the enforcement of child support; to provide for an exception to fee assessment; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 613 by Senator C. Jones

AMENDMENT NO. 1

On page 2, at the end of line 7, after "is" insert **"under a prior order of support, is"**

AMENDMENT NO. 2

On page 2, line 8, after **"support"** insert a comma ","

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 625—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 13:4713(C), relative to public nuisance; to provide for an award of expenses incurred in abating a public nuisance or civil penalties upon issuance of a final injunction; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 625 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 13:4713(C)" and insert "R.S. 13:4711(A), 4712, and 4713(A) and (C)"

AMENDMENT NO. 2

On page 1, line 2, after "nuisance;" insert "to provide for definitions; to provide that a petition establishes a rebuttable presumption of certain activity;"

AMENDMENT NO. 3

On page 1, line 7, delete "R.S. 13:4713(C) is" and insert "R.S. 13:4711(A), 4712, and 4713(A) and (C) are"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"§4711. Definitions; right to enjoin; abatement

A. For the purposes of this Subpart, the following terms shall have the following definitions:

* * *

(4) "Notice of Violation" means a written notice advising the owner, tenant, occupant, operator, or other proprietary party of instances in which the premises have been used for prohibited activities and rendering the premises subject to an action for abatement of a public nuisance.

(5) "Pattern" means two or more instances of criminal activity within a three year period.

(46) "Premises" means any building, structure, land, watercraft, or movable owned or occupied by any proprietary party or representative thereof. (57) "Prohibited activity" means

prostitution, as defined in this Subsection, obscenity, as now or hereafter defined by the criminal laws of this state, a pattern of drug-related criminal activity as defined in this Subsection, or a pattern of criminal activity involving violence or weapons as defined in this Section.

(68) "Proprietary party" means an owner, lessee, sublessee, or occupant of any premises covered by this Subpart.

(79) "Prostitution" means the practice by a person of indiscriminate sexual intercourse with another for compensation, or the solicitation by one person of another with the intent to engage in indiscriminate sexual intercourse with the latter for compensation.

(810) "Representative" means an officer, agent, employee, or other representative of a proprietary party.

§4712. Right to petition for injunction or order of abatement

The issuance of an injunction or order of abatement pursuant to this Subpart may be petitioned for by the following parties: the attorney general of the state of Louisiana, in the name of the state and of the respective parish and without payment of any costs; the district attorney, in the name of the respective parish and without payment of any costs; the sheriff, through his attorney or designated representative, in the name of the respective parish and without the payment of any costs; the governing authority of the respective municipality, parish, or consolidated city-parish government, through its attorney or other designated representative in the name of the respective municipality, parish, or city-parish government and without payment of any costs; **and any ten residents of the election precinct wherein any nuisance described in this Subpart exists.**"

AMENDMENT NO. 5

On page 1, between lines 9 and 10, insert the following:

"A. Application for injunctive relief afforded by this Section shall be by petition. **A petition establishes a rebuttable presumption of prohibited activity if it identifies and supports by competent evidence two or more instances of drug-related criminal activity or criminal activity involving violence or weapons on or around the premises within the preceding five year period. A petition establishes a rebuttable presumption that a proprietary party knowingly permitted the maintenance of a nuisance on the premises if the petition establishes by competent evidence that the proprietary party received a notice of violation from the attorney general of the state of Louisiana or from the district attorney, the sheriff, or the city or parish attorney for the municipality or parish within which the premises are located.**"

AMENDMENT NO. 6

On page 2, line 10, after "**including**" insert "**reasonable attorney fees and**"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 660— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 14:95(G)(4)(a) and (b), relative to Offenses Affecting the Public Safety; to provide with respect to the illegal carrying of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for active reserve or auxiliary law enforcement officers who are qualified annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 660 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "To" change "enact R.S. 14:95(G)(4)(a) and (b)" to "amend and reenact R.S. 14:95(G)(3)(a)" and after "to" change "Offenses Affecting the Public" to "offenses affecting the public"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "Safety" to "safety"

AMENDMENT NO. 3

On page 1, line 5, after "active" add "and retired"

AMENDMENT NO. 4

On page 1, line 9, after "1." change "R.S. 14:95(G)(4)(a) and (b) are hereby enacted" to "R.S. 14: 95(G)(3)(a) is hereby amended and reenacted"

AMENDMENT NO. 5

On page 1, delete lines 12 through 15 and add the following:

G. "* * *
 * * *

(3)(a) The provisions of this Section except Paragraph (4) of Subsection A shall not apply to **active or retired** reserve or auxiliary law enforcement officers qualified annually by the Council on Peace Officer Standards and Training and who have on their person valid identification as **active or** retired reserve law or auxiliary municipal police officers. The **active or** retired reserve or auxiliary municipal police officer **must shall** be qualified annually in the use of firearms by the Council on Peace Officer Standards and Training and have proof of such certification.

* * *"

AMENDMENT NO. 6

On page 2, delete lines 1 through 18

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 707— BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 3:264(H), relative to the Louisiana Agricultural Finance Authority; to limit the number of meetings of the Louisiana Agricultural Finance Authority; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development to Original Senate Bill No. 707 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 3:264(H)" and insert "R.S. 3:262(C), 264(H), 266(20), 270(A), 1317(3), 1907(C), and 3210(C)(4)"

AMENDMENT NO. 2

On page 1, line 3, after "Authority;" delete the remainder of the line and on line 4 delete "Agricultural Finance Authority;," and insert in lieu thereof the following: "to provide for its meeting requirements and its authority; to provide for authority to acquire, construct, renovate, and equip certain buildings;"

AMENDMENT NO. 3

On page 1, line 6, delete "3:264(H) is" and insert "3:262(C), 264(H), 266(20), 270(A), 1317(3), 1907(C), and 3210(C)(4) are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§262. Legislative findings
* * *

C. The legislature hereby finds and declares that it is a matter of grave public necessity that the Louisiana Agricultural Finance Authority be created and empowered to alleviate the severe shortage of capital and credit available at affordable interest rates for investment in agriculture, including ~~an office building~~ **buildings** and ~~connected~~ related facilities used by the Department of Agriculture and Forestry to promote and assist agriculture and forestry within this state, and for the export of agricultural products, commodities, and services, and for capital investment in converting to aquacultural farming, and for capital investment in mariculture projects by providing such capital and credit at interest rates within the financial means of persons and businesses engaged in agriculture and agricultural exports.

* * *

AMENDMENT NO. 5

On page 1, between lines 13 and 14, insert the following:

"§266. Powers of authority

The authority shall have all the powers necessary to give effect to and carry out the purposes and provisions of this Chapter, including, in addition to all other powers granted by other provisions of this Chapter, the powers to:

* * *

(20) Issue revenue bonds for the purpose of acquiring, constructing, renovating, and equipping ~~an office building~~ **buildings** and ~~connected~~ related facilities for use by the Department of Agriculture and Forestry in connection with the promotion and assistance of agriculture and forestry within this state. The bonds shall be authorized and issued by one or more resolutions adopted by a majority vote of the members of the authority and shall be payable solely from the income and revenues as set forth in the resolution authorizing the issuance of the bonds.

* * *

§270. Bonds of the authority

A. The authority is hereby authorized and empowered to issue from time to time bonds, notes, renewal notes, refunding bonds, interim certificates, certificates of indebtedness, debentures, warrants, commercial paper, or other obligations or evidences of indebtedness, hereinafter collectively referred to as "bonds", to provide funds for and to fulfill and achieve its authorized public functions or corporate purposes, as set forth in this Chapter, including but not limited to the purchase of agricultural loans from lending institutions, the making of loans to or deposits with lending institutions, the acquisition, construction, renovation, and equipping ~~an office building~~ **buildings** and ~~connected~~ related facilities for use by the Department of Agriculture and Forestry in connection with promoting and assisting agriculture and forestry within this state, the payment of interest on bonds of the authority, the establishment of reserves to secure such bonds, the establishment of reserves with respect to the insurance of agricultural loans, and all other purposes and expenditures of the authority incident to and necessary or convenient to carry out its public functions or corporate purposes.

* * *

§1317. Disposition of funds

All fees, penalties, and other funds received under the provisions of this Part shall be disposed of in accordance with the following provisions:

* * *

(3) The Department of Agriculture and Forestry, or the Louisiana Agricultural Finance Authority on behalf of the Department of Agriculture and Forestry, may fund the anticipated funds appropriated from the Fertilizer Fund into revenue bonds for the purpose of renovating a building on the Baton Rouge campus of the Louisiana State University and Agricultural and Mechanical College to provide administrative offices and analytical laboratories

to be used in connection with the programs established by this Part and for the purpose of acquiring, constructing, renovating, and equipping ~~an office building~~ **buildings** and ~~connected~~ related facilities for use by the Department of Agriculture and Forestry in connection with promoting and assisting agriculture and forestry in this state. The Department of Agriculture and Forestry may pledge those funds to secure the repayment of revenue bonds or to secure a lease or purchase agreement entered into in connection with the issuance of revenue bonds for those purposes.

* * *

§1907. Disposition of funds

* * *

C. The Department of Agriculture and Forestry, or the Louisiana Agricultural Finance Authority on behalf of the Department of Agriculture and Forestry may fund the anticipated funds appropriated from the Feed Commission Fund into revenue bonds for the purpose of renovating a building on the Baton Rouge campus of the Louisiana State University and Agricultural and Mechanical College to provide administrative offices and analytical laboratories to be used in connection with the programs established by this Chapter and for the purpose of acquiring, constructing, renovating, and equipping ~~an office building~~ **buildings** and ~~connected~~ related facilities for use by the Department of Agriculture and Forestry in connection with promoting and assisting agriculture and forestry in this state. The Department of Agriculture and Forestry may pledge those funds to secure the repayment of revenue bonds or to secure a lease or purchase agreement entered into in connection with the issuance of revenue bonds for those purposes.

* * *

§3210. Pesticide Fund

* * *

C. The monies in the Pesticide Fund shall be used solely for the following purposes:

* * *

(4) The department, or the Louisiana Agricultural Finance Authority on behalf of the department, may fund the anticipated funds appropriated from the Pesticide Fund into revenue bonds for the purpose of renovating or constructing a building on the Baton Rouge campus of Louisiana State University to provide administrative offices and analytical laboratories to be used in connection with the programs established in Parts I through VI of this Chapter and for the purpose of acquiring, constructing, renovating, and equipping ~~an office building~~ **buildings** and ~~connected~~ related facilities for use by the department in connection with promoting and assisting agriculture and forestry in this state. The department may pledge those funds to secure the repayment of revenue bonds or to secure a lease or purchase agreement entered into in connection with the issuance of revenue bonds for those purposes.

* * *

On motion of Senator Smith, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 726—
BY SENATOR C. JONES

AN ACT

To amend and reenact Children's Code Art. 810, relative to constitutional rights; to provide with respect to waiver of right to counsel; to provide for the constitutional rights of accused delinquents; to prohibit juveniles from waiving right to counsel under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 806—
BY SENATOR JOHNSON

AN ACT

To enact R.S. 40:1797.1, relative to firearms; to require that all new firearms sold in Louisiana be equipped with a child safety lock at the time of the sale; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 806 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "enact" insert "R.S. 17:285.1 and" and after the semicolon ";" delete the remainder of the line and insert "to provide relative to the sale of any firearm; to require that a safety device for such firearm be offered to the purchaser at the time of sale;"

AMENDMENT NO. 2

On page 1, delete line 3

AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "sale;" and insert "to provide for the development of a firearms safety curriculum and its inclusion in public elementary schools;"

AMENDMENT NO. 4

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 17:285.1 is hereby enacted to read as follows:
§285.1. Firearm safety curriculum

R.S. 17:285.1 is all proposed new law.

A. Any public elementary school in Louisiana may offer instruction in firearm safety. The curriculum for such instruction shall be developed and approved by the State Board of Elementary and Secondary Education.

B. The State Board of Elementary and Secondary Education shall adopt necessary rules and regulations to insure the proper implementation of this Section and any city or parish school board offering such instruction shall do so in accordance with such rules and regulations."

AMENDMENT NO. 5

On page 1, line 6, change "Section 1." to "Section 2."

AMENDMENT NO. 6

On page 1, delete lines 9 through 12 and insert the following:

"A. Any person, firm, or corporation which engages in the retail sale of any firearm shall offer to the purchaser a reusable firearm locking device appropriate for such firearm, at the time of the sale and with every sale. The firearm locking device shall be constructed of material sufficiently strong to prevent it from being easily disabled and with a locking mechanism accessible by key or by electronic or other mechanical accessory specific to such lock or device to prevent unauthorized removal.

B. As used in this Section, "firearm locking device" means an integrated design feature or an attachable accessory that is resistant to tampering and is effective in preventing the discharge of a rifle, shotgun, or firearm by a person who does not have access to the key, combination, or other mechanism used to disengage the device."

AMENDMENT NO. 7

On page 1, line 13, change "Section 2." to "Section 3."

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 818—

BY SENATOR B. JONES (On Recommendation of the La State Law Institute)

AN ACT

To amend and reenact Code of Civil Procedure Art. 42(5), 561(A), 932, 933, 934, 967, 1201(A), 1424, 1425, 1436.1, 1443, 1455, 1914, and 3295, and Children's Code Art.332, relative to the continuous revision of the Code of Civil Procedure; to provide venue for actions against certain foreign corporations, limited liability companies, and non-residents; to provide for abandonment of actions; to provide for the effect of sustaining declinatory, dilatory, and peremptory exceptions; to provide for citation and service; to provide for interlocutory judgments, notice and delay; to provide for giving in payment; to provide for experts, discovery and depositions; to provide for affidavits of experts in summary judgments; to remove restrictions on discovery of testifying expert witnesses; to allow a court to order a deposition by phone over objection of one or more parties; to provide deposition procedure; to provide for notice of judgment in the Children's Code and reference therein to the Code of Civil Procedure; and, to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 818 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 2, change "Art." to "Arts"

AMENDMENT NO. 2

On page 2, line 4, change "Art." to Arts."

AMENDMENT NO. 3

On page 3, line 3, after "~~dismissal~~" delete the remainder of the line, and delete lines 4 through 14, and insert the following:

"The sheriff shall serve the order in the manner provided in Article 1314, and shall execute a return pursuant to Article 1292. Article 561(A)(3) is all proposed new law.

(3) A motion to set aside a dismissal may be made only within thirty days of the date of the sheriff's service of the order of dismissal. If the trial court denies a timely motion to set aside the dismissal, the clerk of court shall give notice of the order of denial pursuant to Article 1913(A) and shall file a certificate pursuant to Article 1913(D).

Article 561(A)(4) is all proposed new law.

(4) An appeal of an order of dismissal may be taken only within sixty days of the date of the sheriff's service of the order of dismissal. An appeal of an order of denial may be taken only within sixty days of the date of the clerk's mailing of the order of denial."

AMENDMENT NO. 4

On page 7, line 6, after "Article 102," delete "**or as otherwise provided by law**" and insert "**and proceedings under the Children's Code**"

AMENDMENT NO. 5

On page 8, at the end of the line 8, insert "Discovery of writings of experts is provided for in Article 1425. This Article is not intended to change discovery of experts or their writings as provided in Article 1425(D)(2)."

AMENDMENT NO. 6

On page 8, line 19, after "**each**" change "**person**" to "**party**", and at the beginning of the line 20, change "**who is**" to "**that has**", and on line 20, after "**employed**" insert "**a person**"

AMENDMENT NO. 7

On page 8, line 23, after "witness." delete "Unless otherwise ordered by the court," and at the beginning of line 24, change "the" to "The" and on line 25, change the semicolon ";" to "and"

AMENDMENT NO. 8

On page 8, at the end of line 26, change "; any" to ". The parties, upon agreement, or if ordered by the court, shall include in the report any or all of the following:"

AMENDMENT NO. 9

On page 9, line 3, after "testimony," delete "and"

AMENDMENT NO. 10

On page 11, line 30, after "Examination" change "examination" to "examination"

AMENDMENT NO. 11

On page 12, line 19, change "B." to "B."

AMENDMENT NO. 12

On page 12, line 24, change "All objections" to "B. All objections"

AMENDMENT NO. 13

On page 13, at the end of the line 13, insert the following: "If an attorney obstructs or needlessly delays the deposition through objections, questions, directives not to answer, or through other means, or if a witness obstructs or needlessly delays the deposition through refusals to answer, or evasive or non-responsive answers, or by other means, resulting in the deposition not being completed within the seven-hour time limitation, the time for the deposition shall be extended as necessary, and the court may assess costs and other sanctions."

AMENDMENT NO. 14

On page 13, delete line 27, and insert the following: "

E. (1) Objections to questions and answers at the deposition are not waived unless the ground of the objection is one which might have been obviated or removed at that time. An objection during a deposition must be stated in a concise, non-suggestive, and non-argumentative manner such as "Objection, form" or "Objection, leading." The objecting party shall give a clear and concise explanation of an objection if requested by the party taking the deposition. If the deposition is offered in evidence at a later hearing or at trial, a court may find that objections not made in this manner are waived.

(2) Suggestive or argumentative objections may be grounds for terminating the deposition or assessing costs or other sanctions. Unnecessary termination of a deposition may also be grounds for assessing costs or other sanctions.

(3) The officer taking the deposition will not rule on objections but shall record them for ruling by the court. Evidence objected to shall be taken subject to the objections. The officer taking the deposition shall not fail to record testimony because an objection has been made."

AMENDMENT NO. 15

On page 14, delete lines 1 through 17

AMENDMENT NO. 16

On page 15, line 19, after "37:2555" and before "(C) and (D)" insert "(B)(1) and (2)"

AMENDMENT NO. 17

On page 16, between lines 23 and 24, insert asterisk " * * * "

AMENDMENT NO. 18

On page 16, delete line 24, and insert the following: "Art. 1914. Interlocutory ~~order or judgment~~ judgments; notice; delay for further action ~~when notice required~~"

AMENDMENT NO. 19

On page 17, line 10, after "requests" insert "within ten days of rendition in open court" and on line 20 change "paragraphs" to "paragraph"

AMENDMENT NO. 20

On page 17, line 21, after "days" insert "either", and at the end of line 21 after "judgment" insert ", or from the mailing of notice when required"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 919—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 27:15(B)(1) and 31(A)(1); to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451, and to repeal Act No. 888 of the 1990 Regular Session of the Legislature and Act No. 817 of the 1993 Regular Session of the Legislature, relative to Indian gaming compacts; to provide a procedure for negotiation and approval of such compacts; to provide relative to approval authority; to provide relative to the terms of such compacts; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 919 by Senator Malone

AMENDMENT NO. 1

On page 3, line 20, after "Justice," delete "the remainder of the line and lines 21 through 27 and insert in lieu thereof: "and the Senate Committee on Judiciary B. Such committees may conduct public hearings as deemed necessary in Baton Rouge and in other areas which would be significantly impacted by a proposed Indian gaming compact in order to address the concerns of the people in those communities that will be most affected by such compact."

AMENDMENT NO. 2

On page 4, delete line 1

AMENDMENT NO. 3

On page 4, line 2, change "Any" to "Prior to any"

AMENDMENT NO. 4

On page 4, at the beginning of line 4, delete "shall be submitted to" and insert in lieu thereof "the governor shall submit the compact"

AMENDMENT NO. 5

On page 4, line 23, between "legislature" and the comma "," insert "and executed by the governor"

On motion of Senator B. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 929—

BY SENATOR HAINKEL

AN ACT

To enact Part XV of Chapter 1 of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4780 through 4785, relative to boats and boating; to provide with respect to the "Marina and Boatyard Storage Act"; to provide definitions; to provide with respect to the creation of a privilege on movable property stored in marinas and boatyards for the payment of rent due and other charges; to provide for exclusions; to provide with respect to notice of privilege; to

provide for the enforcement of the privilege by sale or other disposition; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 929 by Senator Hainkel

AMENDMENT NO. 1

On page 4, between lines 16 and 17, insert the following:
"(b) To the satisfaction of all superior mortgages on the property held by mortgage holders of record to be paid in the order of priority;"

AMENDMENT NO. 2

On page 4, at the beginning of line 17, change "(b)" to "(c)"

AMENDMENT NO. 3

On page 4, line 18, change "(c)" to "(d)" and after "all other" insert "mortgages and"

AMENDMENT NO. 4

On page 4, at the beginning of line 20, change "(d)" to "(e)"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 969—

BY SENATOR BOISSIERE

AN ACT

To repeal Section 3 of Act 734 of the 1999 Regular Session, relative to written motions; to provide with respect to special motion to strike; to remove certain reporting duties of the Judicial Council relative thereto; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 1027—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 14:40.4, relative to assault, battery, and related offenses; to prohibit burning a cross on the property of another or in a public place under certain circumstances; to provide penalties; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 1046—

BY SENATOR B. JONES

AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:135 through 135.6, relative to expropriation; to authorize expropriation of property by a declaration of taking by cities with a population size between twenty thousand five hundred twenty-five and twenty thousand five hundred fifty; to provide for the contents of a petition for expropriation; to provide for title to such property; to provide for notice and contesting of expropriation procedures by current land owners; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 1046 by Senator B. Jones

AMENDMENT NO. 1

On page 1, lines 3 and 12, change "135.6" to "135.7"

AMENDMENT NO. 2

On page 1, at the end of line 4, change "cities" to "municipalities"

AMENDMENT NO. 3

On page 1, line 5, delete "size"

AMENDMENT NO. 4

On page 1, line 6, after "fifty;" delete the remainder of the line

AMENDMENT NO. 5

On page 1, delete lines 7 through 9 in their entirety and insert the following: "to provide for definitions; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for vesting of title; to provide for notice to the owner of the property; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; and to provide for related matters."

AMENDMENT NO. 6

On page 1, line 15, change "CITIES" to "MUNICIPALITIES"

AMENDMENT NO. 7

On page 2, at the beginning of line 1, delete "SIZE"

AMENDMENT NO. 8

On page 2, between lines 3 and 4, insert the following:

"§135. Property, governing authority defined

R.S. 19:135 is all proposed new law.

As used in this Part, the term:

(1) "Property" means any portion of immovable property, including servitudes, rights-of-way, and other rights in or to immovable property.

(2) "Governing authority" means the governing authority of any municipalities having a population between twenty thousand five hundred twenty-five and twenty thousand five hundred fifty, according to the most recent federal decennial census."

AMENDMENT NO. 9

On page 2, delete lines 4 through 6 and insert the following: "§135.1 Authority to expropriate; acquisition of property for certain purposes"

AMENDMENT NO. 10

On page 2, delete lines 8 through 12 in their entirety and insert the following: "A. When the governing authority of any municipality cannot amicably acquire property needed by the governing authority for the purpose of making improvements to (i) an interstate access and service road or (ii) the water and sewage system, it may acquire"

AMENDMENT NO. 11

On page 2, delete lines 20 through 22 in their entirety

AMENDMENT NO. 12

On page 2, line 23, change "135.1" to "135.2"

AMENDMENT NO. 13

On page 3, line 24, change "135.2" to "135.3"

AMENDMENT NO. 14

On page 3, line 27, after "taken for" delete the remainder of the line

AMENDMENT NO. 15

On page 4, line 1, change "electric, or other capital project" to "the purpose of making improvements to (i) an interstate access and service road or (ii) the water and sewage system."

AMENDMENT NO. 16

On page 4, line 9, change "135.3" to "135.4"

AMENDMENT NO. 17

On page 4, line 18, change "135.4" to "135.5"

AMENDMENT NO. 18

On page 4, line 27, change "135.5" to "135.6"

AMENDMENT NO. 19

On page 5, line 14, change "135.6" to "135.7"

AMENDMENT NO. 20

On page 6, after line 3, insert the following:

"Section 2. The provisions of this Act shall cease to be effective on December 31, 2006; however, this Section shall not render invalid any lawful expropriation which is commenced on or prior to December 31, 2006."

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1057—

BY SENATOR LENTINI

AN ACT

To enact R.S. 15:262, relative to compulsory process; to provide relative to certain witnesses; to authorize certain law enforcement agencies to provide for the security of such witnesses; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 1057 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 18, change "immediate family member's" to "any immediate family member of such witness"

AMENDMENT NO. 2

On page 2, line 21, after "D." insert "(1)"

AMENDMENT NO. 3

On page 2, between lines 25 and 26, insert the following:

"(2) Information related to the appropriation, allocation, and expenditure of monies on the program that does not include any information relating to any witness shall be public and not subject to Paragraph (1) of this Subsection."

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1080—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 30:2418(G) and (H)(3) and (7), relative to waste tires; to provide for the disbursement of funds from the waste tire fund; to provide incentives for tires processed outside of Louisiana; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. On motion of Senator Cain, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 1105—

BY SENATOR THOMAS

AN ACT

To enact R.S. 13:2619, relative to justice of the peace courts; to provide for the territorial jurisdiction of the justice of the peace courts in Tangipahoa Parish; to provide for continued effectiveness of existing districts; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 1105 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 2, after "courts" insert "in Tangipahoa Parish"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "the" and insert "limited parishwide"

AMENDMENT NO. 3

On page 4, after line 14, insert the following:

"C. Each of the justices of the peace courts shall have territorial jurisdiction throughout the parish upon proof by a preponderance of the evidence of the requesting party showing both of the following:

(1) The justice of the peace in the justice of the peace district having territorial jurisdiction is unavailable.

(2) Time is of the essence and harm will be suffered by a delay caused by the inability to locate or the unavailability of the other justice of the peace.

D. An affidavit executed before a notary and two witnesses as to the criteria required in Paragraphs (1) and (2) of Subsection C shall constitute proof by a preponderance of the evidence."

On motion of Senator B. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 27—

BY REPRESENTATIVES HILL, BOWLER, FAUCHEUX, FRITH, AND WALSWORTH

AN ACT

To enact R.S. 49:170.8, relative to state symbols; to provide that mayhaw jelly and cane jelly are the official state jellies of Louisiana; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 334—

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 3:3654(E)(3) and (4)(e), relative to financing statements for farm products; to repeal the requirement of the signature of the debtor; to repeal the requirement of a general property description; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 768—

BY REPRESENTATIVES DIEZ, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To enact Subpart E of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4671, relative to sugar mill scales; to require sugar mills to lock out their scales in certain situations; to prohibit compensation for excess weight; to provide relative to certain requirements of the Department of Agriculture and Forestry; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1362—

BY REPRESENTATIVES DANIEL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:4622 and to enact R.S. 3:4603(B)(9), relative to weights and measures; to provide for the appointment of commission members; to increase the registration fees for commercial weighing and measuring devices; to create the Weight and Measures Fund; to provide for deposit to the fund and appropriation from the fund; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1368—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:1313(C)(1) and to repeal R.S. 3:1317(4), relative to fertilizer fees; to increase such fees and to provide for their use; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1396—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:3210(C)(5), 3221(A), and 3251, relative to pesticide fees; to provide for increases in various registration, licensing, and certification fees; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1398—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:749(A) and to enact R.S. 3:749(C) and (D), relative to Livestock Brand Commission fees; to increase certain Livestock Brand Commission fees; to authorize the Livestock Brand Commission to charge fees for certain services; to create the Livestock Brand Commission Fund; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1400—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:2305(D), 2307(C), and 2311, relative to apiary fees; to provide for apiary registration and inspection fees; to provide for disposition of such fees; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1402—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:3806(A)(2), (B), (C), (D), and (G), relative to horticulture fees; to increase certain horticulture fees; to create the Horticulture Commission Fund; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1472—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:3409(E), 3411(D) and (E), 3414.3(G), 3422(A), and 3423 and to enact R.S. 3:3422(D), relative to agricultural commodity dealer and warehouse fees; to increase certain agricultural commodity dealer and warehouse fees; to create the Agricultural Commodity Dealers and Warehouse Fund; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development to Engrossed House Bill No. 1472 by Representative Thompson

AMENDMENT NO. 1

On page 3, delete line 3

On motion of Senator Smith, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1486—

BY REPRESENTATIVES TOOMY, ANSARDI, CAPELLA, DAMICO, GREEN, MARTINY, BAUDOUIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 3:2735, 2736, and 2774 and to enact R.S. 3:2778 and Part VIII of Chapter 18 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3021, relative to regulation of dogs and animals; to provide exceptions for parishes and municipalities of over four hundred twenty-five thousand population operating under a home rule charter; to provide for the utilization of license fees and fines; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1493—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:1734, relative to sweet potato inspection fees; to create the Sweet Potato Pests and Diseases Fund; to provide for disposition of funds; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1533—

BY REPRESENTATIVES DANIEL, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:4602(1), (2), (17), and (21), 4607(A) and (B), 4608(A), 4611, 4612(B), 4621(A)(introductory paragraph), (B), (C), and (D), 4622(B)(4), (C), and (D), 4623(A), and 4624(A) and R.S. 47:718(A), to enact R.S. 3:4602(12.1), (19.1), and (20.1), 4621(E) and (F), and Subpart E of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4671 through 4690, and to repeal R.S. 3:4622(F) and Part XII of Chapter 2 of Title 51 of Louisiana Revised Statutes of 1950, comprised of R.S. 51:781 through 831, relative to weighing and measuring petroleum products; to authorize the commissioner of agriculture and the Department of Agriculture and Forestry to regulate the commercial weighing and measuring of petroleum products; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1652—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, STRAIN, AND JACK SMITH

AN ACT

To amend and reenact R.S. 3:1901(A), (B), (C)(1), and (E), to enact R.S. 3:1901(F), and to repeal R.S. 3:1907(D), relative to commercial feed fees; to create the Commercial Feed Fund; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1675—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:1431, 1432(B), 1436, 1437(B), 1438, 1439, 1440, 1441, 1444(6) and (9), 1446, and 1448, to enact R.S. 3:1433(A)(3)(g), (h), (i), and (j), 1434(5), 1435(6), (7), and (8), 1444(10) and (11), and 1449, and to repeal R.S. 3:1442, relative to the regulation of seeds; to provide for definitions; to provide for the powers and duties of the commissioner of the Department of Agriculture and Forestry and the Seed Commission; to provide for the labeling of seeds; to increase the annual license fee for seed dealers; to specify certain prohibited acts; to provide exemptions; to increase the regulatory fee charged by the Seed Commission; to create the Seed Commission Fund; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1696—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:1655(B), (C), and (D), relative to nursery stock inspection fees; to establish the Crop Pests and Diseases Fund; to provide for disposition of funds; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1827 (Substitute for House Bill No. 1262 by Representative Thompson)—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 3:304, relative to the master farmer program; to provide for certification; to provide for the promulgation of rules and regulations; to provide for requirements for certification and maintaining certification; to provide for verification; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 714 from the Committee on Judiciary A.

HOUSE BILL NO. 714—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 37:1731(A)(2)(a) and to enact R.S. 37:1731(A)(2)(c) and (d), relative to emergency care at public and private hospitals; to provide for a limitation of liability of certain persons providing gratuitous emergency care; to define "on-call physician"; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Ellington to Reengrossed House Bill No. 714 by Representative Johns (Duplicate of Senate Bill No. 277)

AMENDMENT NO. 1

On page 2, line 13, between “department” and “shall” insert the following: “, including any appropriate standard of care treatment necessitated by the patient's emergent condition,”

AMENDMENT NO. 2

On page 2, delete lines 15 and 16 in their entirety and insert in lieu thereof the following: “patient or from failure to”

On motion of Senator Ellington, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 277, was read by title and referred to the Legislative Bureau.

Recess

On motion of Senator Lambert, the Senate took a recess until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:00 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—38		

ABSENT

Bean
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Senate Business Resumed**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of
Senate Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 84—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the commissioner of administration, the Board of Supervisors of Community and Technical Colleges, and the Board of Regents to undertake the funding of a new campus for the Louisiana Technical College - Northwest Campus.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

Regular Order of the Day Resumed**Reconsideration**

On motion of Senator Fields, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 13, 2003 was reconsidered.

SENATE BILL NO. 162—

BY SENATOR FIELDS

A JOINT RESOLUTION

Proposing to amend Article V, Section 10(B) of the Constitution of Louisiana, relative to appellate jurisdiction of a court of appeal; to provide that the appellate jurisdiction of a court of appeal in all matters be limited to questions of law; and to specify an election date for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Fields, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator Heitmeier, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 13, 2003 was reconsidered.

SENATE BILL NO. 668—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 45:844.12(4), relative to "telephone solicitation"; to provide an exception for telemarketing calls that do not complete a sale during the call; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator C. Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 13, 2003 was reconsidered.

SENATE BILL NO. 795—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 23:1141(B), relative to workers' compensation; to provide with respect to attorney fees; to provide for a twenty percent recovery in attorney fees for

services rendered to an employee; and to provide for related matters.

On motion of Senator C. Jones, the bill was read by title and returned to the Calendar, subject to call.

Senate Resolutions on Second Reading Reported by Committees

The following Senate Resolutions reported by Committees were taken up and acted upon as follows:

SENATE RESOLUTION NO. 40— BY SENATOR C. JONES

A RESOLUTION

To urge and request the Senate Committee on Judiciary B to study the financial impact on the state of participating in the New Communities Program.

On motion of Senator C. Jones, the resolution was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 10— BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 15:254.6(B)(2) relative to compulsory process; to provide for the use of unexpended and unencumbered funds in the witness fee account for the town of Welsh; to provide that surplus funds may be deposited into the town's general fund to pay for infrastructure improvements and equipment; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	McPherson
Cain	Hines	Mount
Chaisson	Hoyt	Romero
Dean	Lambert	Smith
Dupre	Lentini	Theunissen
Ellington	Malone	Thomas
Gautreaux	Marionneaux	
Total—20		

NAYS

Total—0

ABSENT

Adley	Fields	Jones, CD
Bajoie	Fontenot	Michot
Barham	Holden	Schedler
Bean	Hollis	Tarver
Boissiere	Irons	Ullo
Cravins	Johnson	
Dardenne	Jones, B	
Total—19		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 105— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:10.3(C) and (E), relative to the Judges' Supplemental Compensation Fund; to provide for an increase in the nonrefundable civil filing fee; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and returned recommitted to the Committee on finance.

SENATE BILL NO. 116— BY SENATOR DARDENNE

AN ACT

To enact R.S. 40:2155(B)(8) and (9), relative to adult residential care homes; to provide for resident support during times of emergency and natural disasters; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 190— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:701(28), 723(A)(1), 728(A) and (B)(1)(a)(ii), and 783(D)(1)(a), relative to the Teachers' Retirement System of Louisiana; to provide with respect to monthly retirement benefits paid in advance; to provide with respect to selection of option for method of payment after death of member; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 191— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:783(A)(3)(a) and to repeal R.S. 11:783(A)(3)(f), relative to the Teachers' Retirement System of Louisiana; to provide with respect to the Initial Lump-Sum Benefit; to provide with respect to creditable service; to provide with respect to reemployment after termination; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 201— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:728(A)(4), relative to the Teachers' Retirement System of Louisiana; to provide with respect to rollover provisions; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 215— BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:205, relative to the Louisiana State University Retirement System; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 276—
BY SENATORS ELLINGTON AND DARDENNE
AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to provide for the availability of jury trials in certain circumstances; to provide for limitations; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 276 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 15, following "thousand" and before "exclusive" insert "dollars"

On motion of Senator Lambert, the amendments were adopted.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 323—
BY SENATORS LENTINI, BOISSIERE, CAIN, DARDENNE, ELLINGTON, HEITMEIER, HOLLIS AND SCHEDLER AND ULLO
AN ACT

To amend and reenact R.S. 48:279, relative to highways; to provide relative to non-peak hours construction and maintenance work on limited access highways; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Malone
Adley	Holden	Michot
Barham	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Jones, B	Smith
Dupre	Jones, CD	Tarver
Ellington	Lambert	Theunissen
Gautreaux	Lentini	Ullo
Total—27		

NAYS

Dean
Total—1

ABSENT

Bajoie	Fields	Marionneaux
Bean	Fontenot	McPherson
Boissiere	Hines	Thomas
Cravins	Johnson	
Total—11		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Lambert in the Chair

SENATE BILL NO. 349—
BY SENATOR HOLDEN
AN ACT

To amend and reenact R.S. 49:308(E)(2)(d) and (e), relative to the deposit of state funds; to exempt the Board of Supervisors of the Louisiana Community and Technical College System and its institutions from the requirement of depositing all funds into the state treasury; to make technical changes relative to certain exempt postsecondary entities; and to provide for related matters.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed Senate Bill No. 349 by Senator Holden

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "the Louisiana"

AMENDMENT NO. 2

On page 1, line 4, change "College System" to "Colleges"

AMENDMENT NO. 3

On page 2, line 10, delete "the Louisiana"

AMENDMENT NO. 4

On page 2, line 11, change "College System" to "Colleges"

On motion of Senator Holden, the amendments were adopted.

The bill was read by title. Senator Holden moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Heitmeier	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—31		

NAYS

Dean
Total—1

ABSENT

Mr. President	Fields	McPherson
Bajoie	Hines	
Bean	Marionneaux	

Total—7

The Chair declared the amended bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 385—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:35, R.S. 40:40(3), R.S. 40:52, and R.S. 40:54 and repeal R.S. 40:40(7), relative to fees for certified copies of vital records; to provide for an increase in the fee for the issuance of an initial death certificate issued to a funeral director; to provide for burial transit permits for bodies to be cremated or removed from the state; to provide for the prerequisites for such a certificate; to provide relative to failure to complete medical certification; to provide for prerequisites for permits; to repeal the fee for the issuance of a burial permit; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 385 by Senator Schedler

AMENDMENT NO. 1

On page 1, lines 2 and 12, following "40:35," change "R.S. 40:40(3), R.S. 40:52, and R.S. 40:54" to "40:40(3), 40:52, and 40:54"

AMENDMENT NO. 2

On page 3, lines 5 and 15 following "R.S. 40:" change "34(2)(r)" to "34(B)(2)(r)"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Lentini
Barham	Heitmeier	Michot
Boissiere	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fontenot	Lambert	Ullo
Total—30		

NAYS

Cain	Malone
Total—2	

ABSENT

Mr. President	Fields	McPherson
Bajoie	Hines	
Bean	Marionneaux	
Total—7		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 388—

BY SENATORS SCHEDLER, BAJOE AND C. JONES
AN ACT

To enact R.S. 46:153.3(C), relative to medical vendor reimbursements; to prohibit restrictions on the prescribing of atypical antipsychotic drugs for Louisiana Medicaid recipients; to prohibit restrictions of prescription drugs for those Medicaid recipients who are diagnosed with HIV/AIDS; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 388 by Senator Schedler

AMENDMENT NO. 1

On page 2, at the beginning of line 13, change "(d)" to "(c)"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Lentini
Barham	Heitmeier	Malone
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fontenot	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Bean	Marionneaux
Bajoie	Fields	McPherson
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 427—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:822(E), relative to Teachers' Retirement System of Louisiana; to provide with respect to election procedures; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fontenot	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Fields	McPherson
Bajoie	Jones, B	
Bean	Marionneaux	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 428— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:892, relative to the Teachers' Retirement System of Louisiana; to provide with respect to contribution limits; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, CD	
Fontenot	Lentini	
Total—28		

NAYS

Dean
Total—1

ABSENT

Bajoie	Jones, B	Schedler
Bean	Lambert	Ullo

Cravins
Fields
Total—10

Marionneaux
McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 428. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Mr. President in the Chair

SENATE BILL NO. 635— BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:942.1 through 942.9, relative to the Teachers' Retirement System of Louisiana; to repeal the alternative contribution plan; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fontenot	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Fields	McPherson
Bean	Lambert	
Cravins	Marionneaux	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 703— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3051(2), 3061(A)(1)(a) and the introductory paragraph of (b), 3062(A), and 3077(C)(2) and to enact R.S. 37:3061(A)(1)(d) and 3062(F), relative to the State Board of Electrolysis Examiners; to provide for membership and terms of office of the board; to provide for the domicile of the board; to provide requirements for licensed instructors; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Michot
Adley	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—31		

NAYS

Cain
Total—1

ABSENT

Bajoie	Fields	McPherson
Bean	Lambert	
Cravins	Marionneaux	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 722—

BY SENATORS HAINKEL AND HOYT
AN ACT

To amend and reenact R.S. 11:103(B)(3)(e)(i) and to enact R.S. 11:103(D), relative to the Firefighters' Retirement System of Louisiana; to provide for the determination of the employer contribution rate; to change the period for amortization of actuarial gains and losses from fifteen years to thirty years; to provide with respect to valuation of all outstanding amortization bases in existence on June 30, 2002, exclusive of merger bases; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Hoyt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Michot
Adley	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—31		

NAYS

Dean
Total—1

ABSENT

Bajoie	Fields	McPherson
Bean	Lambert	
Cravins	Marionneaux	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 723—

BY SENATORS HAINKEL AND HOYT
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), and (d) and (6) and to enact R.S. 11:2260(A)(2)(g) and (h), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 723 by Senator Hainkel

AMENDMENT NO. 1

On page 1, lines 3 and 11, delete "(d) and"

AMENDMENT NO. 2

On page 1, line 4, between "(h)" and the comma "," insert "and to repeal R.S. 11:2260(A)(2)(d)"

AMENDMENT NO. 3

On page 2, between lines 23 and 24, insert the following:

"Section 2. R.S. 11:2260(A)(2)(d) is hereby repealed."

AMENDMENT NO. 4

On page 2, line 24, change "Section 2." to "Section 3."

On motion of Senator Hainkel, the amendments were adopted.

The bill was read by title. Senator Hoyt moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Michot
Adley	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—31		

NAYS

Dean
Total—1

ABSENT

Bajoie	Fields	McPherson
Bean	Lambert	
Cravins	Marionneaux	
Total—7		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 949— BY SENATOR SCHEDLER

AN ACT

To amend and reenact Civil Code Arts. 573 and 1514, to enact R.S. 9:1202, and to repeal Code of Civil Procedure Art. 3154.1, relative to security for a surviving spouse; to provide for forms of security for legal usufruct of a surviving spouse; to provide for dispensation of security of a surviving spouse; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 949 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 23, following "Section 3," and before "Procedure" change "Civil Code of" to "Code of Civil"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Michot
Bajoie	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fontenot	Lentini	
Total—34		

NAYS

Dean
Total—1

ABSENT

Bean	Marionneaux
Fields	McPherson
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 957—

BY SENATORS CRAVINS, BAJOE, C. JONES, LENTINI, MICHOT, MOUNT, BOISSIERE, HOLLIS, CHAISSON, FIELDS, HOLDEN, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER AND THOMAS AND REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BROOME, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND AND WELCH

AN ACT

To amend and reenact R.S. 46:2601(A)(1) and 2603(A) and (B)(2), to enact Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 673, Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, and R.S. 46:2605.1, 2605.2, 2605.3, and 2605.4, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to juvenile justice; to create the Joint Legislative Juvenile Justice Policy Priority Committee, including a plan for the recommendation of a Department of Children, Youth, and Families; to continue beyond August 15, 2003, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to create nine regional juvenile justice planning and coordination advisory boards; to provide for the standardization of service regions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Reengrossed Senate Bill No. 957 by Senator Cravins

AMENDMENT NO. 1

On page 5, line 2, change "Children" to "Children's"

AMENDMENT NO. 2

On page 11, line 23, following "of" and before "Senate" delete "the"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed Senate Bill No. 957 by Senator Cravins, et al.

AMENDMENT NO. 1

On page 10, line 4, change "this fiscal year." to "in Fiscal Year 2003-2004."

AMENDMENT NO. 2

On page 10, line 10, change "this fiscal year," to "in Fiscal Year 2003-2004,"

On motion of Senator Cravins, the amendments were adopted.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed Senate Bill No. 957 by Senator Ullo

AMENDMENT NO. 1

On page 13, line 23, after "Center," insert "Louisiana State University School of Social Work Office of Social Services Research and Development,"

AMENDMENT NO. 2

On page 16, line 24, after "study" insert ", conducted by Louisiana State University School of Social Work Office of Social Services Research and Development and limited to those judicial districts which receive TASC funds,"

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Cravins moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 963—

BY SENATORS CRAVINS, MICHOT, AND IRONS AND REPRESENTATIVES K. CARTER, GLOVER, GUILLORY, M. JACKSON AND MORRELL

AN ACT

To enact R.S. 15:902.2, relative to juvenile institutions; to provide for the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to require the Department of Public Safety and Corrections to develop a plan for closure of the facility and

placement of the youth confined at the facility; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Jones to Reengrossed Senate Bill No. 963 by Senator Cravins, et al.

AMENDMENT NO. 1

On page 1, line 3, change "closure" to "transition"

AMENDMENT NO. 2

On page 1, line 4, after "Unit" insert "as an alternative correctional use facility"

AMENDMENT NO. 3

On page 1, line 5, change "closure" to "transition"

AMENDMENT NO. 4

On page 1, line 10, change "Closure" to "Transition"

AMENDMENT NO. 5

On page 1, line 11, after "juveniles" insert "to an alternative corrections use, such as an adult facility"

AMENDMENT NO. 6

On page 2, delete lines 19 and 20, and insert in lieu thereof the following:

"D. The department shall find alternative correctional uses for the facility."

Senator C. Jones moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere	Holden	McPherson
Ellington	Irons	Thomas
Fields	Johnson	
Heitmeier	Jones, CD	
Total—10		

NAYS

Adley	Gautreaux	Michot
Bajoie	Hines	Mount
Barham	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Jones, B	Smith
Dean	Lentini	Tarver
Dupre	Malone	Theunissen
Fontenot	Marionneaux	Ullo
Total—24		

ABSENT

Mr. President	Cravins	Lambert
Bean	Dardenne	
Total—5		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Reengrossed Senate Bill No. 963 by Senator Cravins

AMENDMENT NO. 1

On page 3, between lines 3 and 4, insert the following:

"Section 2. Notwithstanding the provisions of this Act, for as long as the state is obligated for debt service on the facility, known as Swanson Correctional Center for Youth-Madison Parish Unit, the state shall seek alternative uses for the facility, including but not limited to, use as a correctional facility."

AMENDMENT NO. 2

On page 3, line 4, change "Section 2" to "Section 3"

Senator C. Jones moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Total—35		

NAYS

Dean
Total—1

ABSENT

Mr. President	Bean	Lambert
Total—3		

The Chair declared the amendments were adopted.

The bill was read by title. Senator Cravins moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero

Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—36

Hollis
Hoyt
Irons
Johnson
Jones, B
Lambert

Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Jones, CD
Total—1

ABSENT

Bean
Total—2

Marionneaux

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 975—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:355.1(2), 355.3(B) and (C), 355.7 and 355.8(A), and to enact R.S. 9:355.4(B)(7), relative to child custody; to provide requirements for parents prior to relocation of a child; to provide for a time period in which a parent may object to the relocation of a child; to provide for parents with equal or shared custody; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Lambert	Theunissen
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 986—

BY SENATOR IRONS

AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum

benefit of up to five years based upon the value of the pension at the retroactive date selected; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bean	Marionneaux
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1059—

BY SENATOR MCPHERSON

AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to the settlement of claims by the state; to provide for submission to and approval by the legislature of certain claims in which the state has an interest; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1063—

BY SENATORS CHAISSON, DUPRE, GAUTREAUX, LAMBERT
MARIONNEAUX AND FONTENOT (BY REQUEST)

AN ACT

To amend and reenact R.S. 13:312(1)(b) and 312.1, and to repeal R.S. 13:312.2, relative to court of appeal judges; to provide relative to the number of judges authorized for the First Circuit Court of Appeal; to create and provide for an additional division in the first district in the first circuit; to divide the first district of the Court of Appeal for the First Circuit into geographical election sections for the purpose of qualification and election in certain districts; to provide for the election and term of office for such judge; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Fields to Engrossed Senate Bill No. 1063 by Senator Chaisson

AMENDMENT NO. 1

On page 3, line 11, change "thirteen" to "fourteen"

AMENDMENT NO. 2

On page 3, line 12, change "Four" to "Five"

AMENDMENT NO. 3

On page 3, line 13, delete "each of the three the second and third districts" and insert "from the second district and four judges shall be elected from the third district"

AMENDMENT NO. 4

On page 3, at the end of line 18, insert the following:

"In the second district two judges shall be elected from election section two by the qualified electors of election section two. The remaining judges, shall be elected at large from election section one by qualified electors of election section one."

Senator Fields moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Marionneaux
Boissiere	Holden	Mount
Cain	Johnson	Tarver
Chaisson	Jones, CD	Thomas
Dupre	Lambert	
Total—14		

NAYS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Michot
Barham	Hines	Romero
Dardenne	Hollis	Schedler
Dean	Hoyt	Smith
Ellington	Jones, B	Theunissen
Fontenot	Lentini	Ullo
Total—21		

ABSENT

Bean	Irons
Cravins	McPherson
Total—4	

The Chair declared the amendments were rejected.

Senator Fields moved that Senate Bill No. 1063 be recommitted to the Committee on Judiciary A.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere	Fields	Jones, B
Cravins	Holden	Mount
Total—6		

NAYS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—29		

ABSENT

Mr. President	Irons
Bean	McPherson
Total—4	

The Chair declared the Senate refused to recommit the bill.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hoyt	Schedler
Chaisson	Jones, CD	Smith
Dupre	Lambert	Tarver
Ellington	Marionneaux	Theunissen
Fontenot	McPherson	Ullo
Total—24		

NAYS

Mr. President	Dean	Jones, B
Barham	Fields	Lentini
Cravins	Holden	Malone
Dardenne	Hollis	Thomas
Total—12		

ABSENT

Bean	Irons	Johnson
Total—3		

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Chaisson, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

SENATE BILL NO. 1097— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:721.1(B) and to enact R.S. 11:701(33)(a)(xi), relative to the Teachers' Retirement System of Louisiana; to provide with respect to option to participate in the system; to provide with respect to the definition of "Teacher"; to include the director and staff of the Louisiana Resource Center for Educators within the definition of teacher; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Total—0

ABSENT

Bean	Irons
Cravins	Johnson
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1098— BY SENATOR DARDENNE

AN ACT

To enact R.S. 13:587.3, relative to the Nineteenth Judicial District Court; to authorize the judges by court rule to assign matters to be heard by specified divisions; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Jones, B	Schedler
Dupre	Jones, CD	Smith
Ellington	Lambert	Tarver
Fontenot	Lentini	Theunissen
Gautreaux	Malone	Ullo
Total—30		

NAYS

Mr. President	Fields
Total—2	
	ABSENT

Adley	Cravins	Thomas
Bean	Irons	

Boissiere
Total—7

Johnson

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1115—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1115 by Senator Ellington

AMENDMENT NO. 1

On page 2, following line 25 and before line 26, insert
"B. * * * *"

On motion of Senator Lambert, the amendments were adopted.

On motion of Senator Ellington, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1119—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Sections 2 and 3 and to enact Section 1(C), Section 1.1, Section 2.1, and Section 9 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, and Act No. 440 of the 1997 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to abolish the current board of commissioners for St. Tammany Parish Hospital Service District No. 2 and to provide for the appointment of a new board; to provide for a nominating committee to nominate candidates to the appointing authorities; to provide for the qualifications for members of the board of commissioners of the St. Tammany Parish Hospital Service District No. 2; to provide for terms of office for the nominating committee and the board of commissioners; to provide for authority to levy a sales and use tax; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1119 by Senator Schedler

AMENDMENT NO. 1

On page 6, line 1, following "(e)" change "An" to "A"

AMENDMENT NO. 2

On page 6, line 2, following "either" and before "hospital" insert "a"

AMENDMENT NO. 3

On page 11, at the beginning of line 12, insert "(6)"

AMENDMENT NO. 4

On page 13, at the beginning of line 8, insert "(9)"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Michot
Bajoie	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lentini	Thomas
Fields	Malone	Ullo
Fontenot	Marionneaux	
Gautreaux	McPherson	
Total—31		

NAYS

Dean
Total—1

ABSENT

Adley	Cravins	Lambert
Bean	Irons	
Chaisson	Johnson	
Total—7		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1121—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1856(E) and 2110(A)(2), and Section 2 of Act No. 1149 of the 2001 Regular Session, relative to ad valorem property tax; to provide with respect to certain ad valorem taxes which are in dispute and payment of such taxes made under protest; to provide for notice in matters where the assessments of certain ad valorem taxes are in dispute and payment of such taxes is made under protest; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 1121 by Senator Dupre

AMENDMENT NO. 1

On page 3, line 8, between "or" and "to" insert "file a"

On motion of Senator Dupre, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 1121 by Senator Dupre

AMENDMENT NO. 1

On page 3, line 9, after "to" delete the remainder of the line and insert "specify the amount of taxes"

AMENDMENT NO. 2

On page 3, line 10, delete "assessed valuation for taxation" and at the end of line 10, insert "in dispute"

AMENDMENT NO. 3

On page 3, line 11, delete "correct and legal and the reasons therefor"

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lentini	Thomas
Ellington	Malone	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bean	Gautreaux	Johnson
Cravins	Irons	Lambert
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Gautreaux asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 1121. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 1126—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 51:2453(1)(a)(i)(cc), relative to the quality jobs program; to provide for the percentage of health insurance premium to be paid by the employer for certain employees in order to qualify under the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Dardenne	Hoyt	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lentini	Thomas
Ellington	Malone	Ullo
Total—33		

NAYS

Jones, B
Total—1

ABSENT

Bean	Irons	Lambert
Cravins	Johnson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Lambert in the Chair

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Ellington asked that Senate Bill No. 276 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 276—
BY SENATORS ELLINGTON AND DARDENNE
AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to provide for the availability of jury trials in certain circumstances; to provide for limitations; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Smith
Barham	Gautreaux	Tarver
Dardenne	Malone	Theunissen
Dean	Michot	
Ellington	Schedler	
Total—13		

NAYS

Bajoie	Hines	Marionneaux
Boissiere	Holden	McPherson
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Fields	Lambert	
Heitmeier	Lentini	
Total—22		

ABSENT

Mr. President	Irons
Bean	Johnson
Total—4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Ellington, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 190 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 190—
BY SENATOR BOISSIERE**AN ACT**

To amend and reenact R.S. 11:701(28), 723(A)(1), 728(A) and (B)(1)(a)(ii), and 783(D)(1)(a), relative to the Teachers' Retirement System of Louisiana; to provide with respect to monthly retirement benefits paid in advance; to provide with respect to selection of option for method of payment after death of member; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 190 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 10, following "and" and before ", and" change "(B)(a)(ii)" to "(B)(1)(a)(ii)"

AMENDMENT NO. 2

On page 3, line 18, following "4," and before "4A" insert "or"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Jones, CD	Tarver
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Fields	Malone	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Johnson
Bean	Irons	Jones, B
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 191 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 191—
BY SENATOR BOISSIERE**AN ACT**

To amend and reenact R.S. 11:783(A)(3)(a) and to repeal R.S. 11:783(A)(3)(f), relative to the Teachers' Retirement System of Louisiana; to provide with respect to the Initial Lump-Sum Benefit; to provide with respect to creditable service; to provide with respect to reemployment after termination; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas

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Ellington	Lentini	Ullo
Fields	Malone	
Total—35		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Johnson	
Bean	Jones, B	
Total—4		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 201 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 201—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:728(A)(4), relative to the Teachers' Retirement System of Louisiana; to provide with respect to rollover provisions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Johnson
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 215 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 215—
BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:205, relative to the Louisiana State University Retirement System; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Marionneaux
Bean	Johnson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Ellington asked that Senate Bill No. 1115 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1115—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 1115 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 1, after "emanates." insert the following: "Any funds received as payment of taxes under the provisions of this Subsection

shall be used only for non-recurring expenses except for any such funds pledged as security for any bonds or other evidences of indebtedness and for any such funds when the proposition approving the millage provides specifically for another intended purpose. The governing authority of any jurisdiction shall not use any such funds for nonrecurring expenses in a manner which will displace, replace, or supplant funds which were otherwise available for such nonrecurring expenses."

AMENDMENT NO. 2

On page 3, line 2, after "apply," insert the following: "Any funds received as payment of taxes under the provisions of this Subsection shall be used only for non-recurring expenses except for any such funds pledged as security for any bonds or other evidences of indebtedness and for any such funds when the proposition approving the millage provides specifically for another intended purpose. The governing authority of any jurisdiction shall not use any such funds for nonrecurring expenses in a manner which will displace, replace, or supplant funds which were otherwise available for such nonrecurring expenses."

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Malone	Ullo
Total—33		

NAYS

Irons	Lentini
Total—2	

ABSENT

Mr. President	Gautreaux
Bean	Johnson
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 828 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 828—
BY SENATOR BOISSIERE****AN ACT**

To amend and reenact R.S. 27:353(4), 361(C), 363, and 392(B)(3)(a), (b), and (c)(i), and to enact R.S. 27:372.1 and 392(B)(3)(d), relative to Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide with respect to slot machine gaming at live racing facilities; to

authorize slot machine gaming at an eligible facility in Orleans Parish; to create the Bossier Parish Truancy Program Fund; to provide with respect to the allocation of revenue from facilities in certain parishes; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Reengrossed Senate Bill No. 828 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, following "361(C)," and before "and" delete "363,"

AMENDMENT NO. 2

On page 1, line 3, following "enact" and before "and" change "R.S. 27:372.1" to "R.S. 27:363(C), 372.1,"

AMENDMENT NO. 3

On page 2, line 2, following "361(C)," and before "and" delete "363,"

AMENDMENT NO. 4

On page 2, line 3, following "reenacted and" and before "and 392(B)(3)(d)" change "R.S. 27:372.1" to "R.S. 27:363(C), 372.1,"

AMENDMENT NO. 5

On page 3, line 2, following "amended" and before "effective" delete the comma ","

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed Senate Bill No. 828 by Senator Boissiere

AMENDMENT NO. 1

On page 8, line 6, delete "the Orleans Parish School Board and"

On motion of Senator Boissiere, the amendments were adopted.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed Senate Bill No. 828 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, change "392(B)(3)(a)," to "392(B)(2)(b), (3)(a),"

AMENDMENT NO. 2

On page 1, line 3, after "(c)(i)," insert "and (4),"

AMENDMENT NO. 3

On page 2, line 2, change "392(B)(3)(a)" to "392(B)(2)(b), (3)(a),"

AMENDMENT NO. 4

On page 2, line 3, after "(c)(i)" insert ", and (4)"

AMENDMENT NO. 5

On page 5, between lines 19 and 20, insert the following:
 "(2) * * *

(b) Monies in the Gaming Control Fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely for the expenses of the board, the Department of Justice, and the division which are necessary to carry out the provisions of this Chapter. Monies in the fund remaining after appropriation for expenses of the board, the Department of Justice, and the division shall be credited as hereinafter provided in ~~Paragraph (4)~~ of this Subsection."

AMENDMENT NO. 6

On page 6, line 16, delete "in St. Landry"

AMENDMENT NO. 7

On page 6, line 17, delete "Parish"

AMENDMENT NO. 8

On page 7, line 13, delete "in Calcasieu Parish"

AMENDMENT NO. 9

On page 8, between lines 19 and 20, insert the following:

"(4) After complying with the provisions of Paragraphs (1) ~~and (2) through (3)~~ of this Subsection, the state treasurer shall, each fiscal year, credit a total of twelve million dollars from the combined taxable net slot machine proceeds collected by the state from each licensed eligible facility, as defined herein, to the fund previously established by R.S. 3:277. These proceeds shall be expended, utilizing any or all powers granted to the Louisiana Agricultural Finance Authority, including the funding or securing of revenue bonds, exclusively for meeting the needs of the Boll Weevil Eradication program and other agricultural, agronomic, horticultural, silvicultural or aquacultural, industrial, or economic development programs."

AMENDMENT NO. 10

On page 7, line 26, delete "in Orleans Parish"

On motion of Senator Boissiere, the amendments were adopted.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Boissiere and Bajoie to Reengrossed Senate Bill No. 828 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 3, after "(c)(i)" insert "and (6)"

AMENDMENT NO. 2

On page 2, line 3, after "(c)(i)" insert "and (6)"

AMENDMENT NO. 3

On page 8, between lines 20 and 21, insert the following:

"(6) After compliance with the provisions of Paragraphs (1) through (5) of this Subsection, pursuant to an annual appropriation by the legislature, remaining monies in an amount of fifty thousand dollars shall be used solely and exclusively for the Southern University Urban Tourism and Marketing Program

and fifty thousand dollars shall be used solely and exclusively for the Orleans Parish District Attorney's Office.

(7) After compliance with the provisions of Paragraphs (1) through (6) of this Subsection, remaining monies shall be deposited in and credited to the state general fund."

On motion of Senator Boissiere, the amendments were adopted.

Motion

Senator Bajoie moved the previous question on the bill.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jones, CD
Boissiere	Fontenot	Marionneaux
Cain	Heitmeier	Mount
Chaisson	Hines	Tarver
Dupre	Holden	Theunissen
Ellington	Johnson	Thomas
Total—18		

NAYS

Mr. President	Hollis	McPherson
Adley	Hoyt	Michot
Barham	Irons	Romero
Cravins	Jones, B	Smith
Dardenne	Lambert	Ullo
Dean	Lentini	
Gautreaux	Malone	
Total—19		

ABSENT

Bean	Schedler
Total—2	

The Chair declared the Senate refused to call the previous question on the bill.

Motion

Senator Johnson moved the previous question on the entire subject matter.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Johnson
Boissiere	Heitmeier	Jones, CD
Cain	Hines	Romero
Chaisson	Holden	Tarver
Fields	Irons	Thomas
Total—15		

NAYS

Mr. President	Hollis	Michot
Adley	Hoyt	Mount
Barham	Jones, B	Smith

Cravins
Dardenne
Dean
Gautreaux
Total—19

Lentini
Malone
Marionneaux
McPherson

Theunissen
Ullo

ABSENT

Bean
Dupre
Total—5

Ellington
Lambert

Schedler

The Chair declared the Senate refused to call the previous question on the entire subject matter.

Mr. President in the Chair

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed Senate Bill No. 828 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 27:353(4)," and insert in lieu thereof "R.S. 27:318(A), 353(4),"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" and before "Pari-" insert "the Louisiana Gaming Control Law; to provide with respect to"

AMENDMENT NO. 3

On page 1, 13, after "Parish;" insert "to provide with respect to the distribution of video poker device revenues for purse supplements for horsemen;"

AMENDMENT NO. 4

On page 2, line 2, after "Section 1." delete "R.S. 27:353(4)," and insert in lieu thereof "R.S. 27:318 and 353(4),"

AMENDMENT NO. 5

On page 2, in between lines 4 and 5 insert the following:

"§318. Distribution of device revenues; particular licensed establishments; pari-mutuel wagering facilities

A. ~~(1) When the The~~ owner of the licensed establishment ~~is not the licensed device owner of the devices placed in or on his premises, one-half of the monthly net device revenues received by the establishment owner, after deduction of one-twelfth the estimated total of the annual establishment fees plus one hundred dollars per device per month and any fee or tax levied by the local governing authority, shall pay twenty percent of the net device revenue derived from the operation of devices at that licensed establishment to~~ shall be used to supplement purses for horsemen as provided in Subsection B of this Section and shall be added to those presently available under R.S. 4:183. Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.

~~(2) When the owner of the licensed establishment is the licensed device owner of the devices placed in or on his premises, one-half of the monthly net device revenues received by the establishment owner in excess of five hundred dollars shall be used to supplement purses for horsemen as provided in Subsection B of this Section and shall be added to those presently available under R.S. 4:183. Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.~~

* * *

Senator Hollis moved adoption of the amendments.

Senator Boissiere objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Cain
Cravins
Dardenne
Total—15

Dean
Ellington
Hines
Hollis
Hoyt

Michot
Romero
Smith
Thomas
Ullo

NAYS

Adley
Bajoie
Boissiere
Chaisson
Dupre
Fields
Fontenot
Gautreaux
Total—23

Heitmeier
Holden
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Mount
Schedler
Tarver
Theunissen

ABSENT

Bean
Total—1

The Chair declared the amendments were rejected.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Boissiere
Chaisson
Cravins
Dupre
Gautreaux
Total—20

Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson

Jones, CD
Malone
Mount
Tarver
Theunissen
Thomas

NAYS

Mr. President
Barham
Cain
Dardenne
Dean
Ellington
Total—17

Fields
Fontenot
Jones, B
Lambert
Lentini
Marionneaux

McPherson
Michot
Romero
Schedler
Smith

ABSENT

Bean
Total—2

Ullo

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 90—
BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION**

To urge and request the United States Secretary of Agriculture to expeditiously implement and expand cost of production insurance for cotton that is based on a producer's actual production cost history and to implement a cost of production insurance pilot program.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

The resolution was read by title. Senator Ellington moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Bean	Irons	Thomas
Cravins	Lentini	
Heitmeier	Michot	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 117—
BY REPRESENTATIVE TOWNSEND
A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to provide an exemption to the Sherman Anti-Trust Act to allow small and medium sized United States based and owned lumber manufacturers to sell their products through company-owned retail outlets.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

The resolution was read by title. Senator Smith moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bean	Heitmeier	Michot
Cravins	Irons	Thomas
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Senator Ellington in the Chair

**House Concurrent Resolutions on
Third Reading
and Final Passage**

The following House Concurrent Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVES FRITH, TRICHE, AND NEVERS
A CONCURRENT RESOLUTION**

To suspend for the 2002-2003 school year the provisions of R.S. 17:154.1(A)(1) as applicable to any city, parish, or other local public school or school system which cannot meet for the 2002-2003 school year the minimum requirements for instructional time specified due to school closure for reasons of natural catastrophe or disaster and which also meet certain conditions.

The resolution was read by title. Senator Hoyt moved the final passage of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, CD	Tarver
Ellington	Lentini	Theunissen
Fields	Malone	Ullo
Total—30		

NAYS

Dean
Total—1

ABSENT

Mr. President	Heitmeier	Lambert
Bean	Irons	Thomas
Cravins	Jones, B	
Total—8		

The Chair declared the resolution was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the resolution was passed and laid the motion on the table.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 11—

BY REPRESENTATIVE STRAIN

AN ACT

To name a portion of Louisiana Highway 59 in St. Tammany Parish the R.H. "Bill" Strain Memorial Highway; and to provide for related matters.

The bill was read by title. Senator Thomas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lentini	Thomas
Fontenot	Malone	Ullo
Total—30		

NAYS

Dean
Total—1

ABSENT

Mr. President	Dardenne	Lambert
Bean	Irons	McPherson
Cravins	Jones, B	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Thomas moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 12—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 17:85.2, relative to naming a curriculum center; to authorize the parish school board in certain parishes to name a curriculum center in honor of a former educator and coach; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 18—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, CAPELLA, R. CARTER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOWNER, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LANCASTER, LEBLANC, LUCAS, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, SNEED, STELLY, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WALKER, WELCH, WINSTON, WOOTON, AND WRIGHT

AN ACT

To enact R.S. 47:463.111, relative to motor vehicles; to provide relative to license plates; to provide for creation of a special prestige license plate for commissioned police officers; to provide for fees for such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Total—33		

NAYS

Dean
Total—1

ABSENT

Mr. President	Gautreaux	McPherson
Bean	Jones, B	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 23—

BY REPRESENTATIVE ILES

AN ACT

To name United States Highway 171, from the city of Lake Charles to the city of Shreveport, except for that portion named the Johnny B. Hall Memorial Highway, the Purple Heart Highway; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Gautreaux	Marionneaux	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Cravins
Bean	Irons
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 44—

BY REPRESENTATIVE STRAIN

AN ACT

To name a portion of U.S. Highway 190 in St. Tammany Parish the Ronald Reagan Highway; and to provide for related matters.

The bill was read by title. Senator Thomas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lentini	Thomas
Fields	Malone	Ullo
Total—30		

NAYS

Dean
Total—1

ABSENT

Mr. President	Holden	Lambert
Bean	Irons	McPherson
Cravins	Jones, B	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Thomas moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 97—

BY REPRESENTATIVE NEVERS

AN ACT

To enact R.S. 17:85.2, relative to naming a high school football stadium; to authorize the city school board in certain cities to name a high school football stadium in honor of a former coach; to provide limitations; and to provide for related matters.

The bill was read by title. Senator Thomas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Bean	McPherson
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Thomas moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 125—

BY REPRESENTATIVE ANSARDI

AN ACT

To designate a portion of Louisiana Highway 48 as Reverend Richard Wilson Drive; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen

Fields
Fontenot
Total—33

Lambert
Lentini

Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Mr. President
Bean
Total—5

Cravins
Jones, B

McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 242—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To provide relative to state highways; to name a portion of Louisiana Highway 75 as the Martin Luther King, Jr. Parkway; and to provide for related matters.

The bill was read by title. Senator Lambert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Dardenne
Dupre
Ellington
Fields
Fontenot
Total—33

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert
Lentini

Malone
Marionneaux
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Mr. President
Bean
Total—5

Cravins
Jones, B

McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Lambert moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 287—

BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER
AN ACT

To recognize a portion of Louisiana Highway 23 in Gretna as the Mel Ott Parkway; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Barham
Boissiere
Cain
Chaisson
Dardenne
Dupre
Ellington
Fields
Fontenot
Gautreaux
Total—32

Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert
Lentini
Malone

Marionneaux
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Mr. President
Adley
Total—6

Bean
Cravins

Jones, B
McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 328—

BY REPRESENTATIVE NEVERS
AN ACT

To enact R.S. 47:463.111, relative to motor vehicle prestige license plates; to provide for the creation of a prestige license plate to honor and promote foster parenting and adoption; to provide for the issuance of such plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title. Senator Thomas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Dardenne
Dean
Dupre
Ellington
Fields
Fontenot
Total—35

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President

Cravins

Bean
Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Thomas moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 394— BY REPRESENTATIVES SCALISE AND BOWLER AN ACT

To amend and reenact R.S. 47:463.61(A), relative to vehicles for which the existing Choose Life license plates may be issued; to authorize the issuance of the Choose Life prestige license plate for motorcycles; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Cravins	McPherson
Bajoie	Holden	Smith
Bean	Jones, B	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on House Bill No. 394. She voted yea on the bill and had intended to abstain. She asked that the Official Journal so state.

Personal Privilege

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 394. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 407— BY REPRESENTATIVE JOHNS AN ACT

To provide relative to state highways; to name a portion of Louisiana Highway 3063, from Vinton to Louisiana Highway 109, as Delta Downs Drive; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—33		

NAYS

Dean
Total—1

ABSENT

Mr. President	Cravins	McPherson
Bean	Jones, B	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 424— BY REPRESENTATIVES PITRE AND WALSWORTH A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, to authorize the legislature to place limitations on the extent of recovery for the taking of, or loss or damage to, property rights affected by coastal wetlands conservation, management, preservation, enhancement, creation, or restoration activities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 457— BY REPRESENTATIVES TRICHE, FRITH, AND NEVERS AN ACT

To enact R.S. 17:154.1(A)(3), relative to minimum requirements for instructional time; to provide for applicability of such requirements to certain public schools and school systems under certain circumstances; to provide for certification by the state superintendent of education relative to such applicability; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to such applicability; to provide for effectiveness; and to provide for related matters.

On motion of Senator Gautreaux, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 495— BY REPRESENTATIVE KATZ AN ACT

To authorize and provide for the transfer or lease of certain state property in Ouachita Parish to the Department of Transportation

and Development from the University of Louisiana at Monroe; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Jones, B
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 498—

BY REPRESENTATIVE TOWNSEND
AN ACT

To authorize and provide for the transfer or lease of certain state property in Natchitoches Parish to the city of Natchitoches from Northwestern State University; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Jones, B
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 531—

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH
AN ACT

To enact R.S. 49:213.9, relative to property rights; to limit recovery for property taken or affected by coastal restoration; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 539—

BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 17:85.2, relative to naming a high school football stadium; to authorize the parish school board in certain parishes to name a high school football stadium in honor of a former coach; to provide limitations; and to provide for related matters.

The bill was read by title. Senator Dean moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Hoyt
Bean	Jones, B
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Dean moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 559—

BY REPRESENTATIVE PIERRE AND SENATOR ROMERO
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(i), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux
Bean	Jones, B
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 568—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 17:7.1(A)(4), relative to the certification of teachers; to provide for certification requirements relative to the teaching of reading for participants in certain alternate teacher education programs; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Dardenne
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Bean	Jones, B
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 569—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 17:7.1(B), relative to the certification of certain public school administrators; to require, for certification as a principal or superintendent, the passage of an appropriate assessment instrument; to authorize the State Board of Elementary and Secondary Education to select the appropriate assessment instrument for such certification and to determine the level at which the assessment is satisfactorily passed; to provide for effectiveness; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Dardenne
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 571—

BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:7(6)(c)(i), relative to emergency teaching permits; to provide for the renewal of an emergency teaching permit by the state superintendent of education; to provide limitations; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Tarver
Dardenne	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Gautreaux	Marionneaux	
Total—34		

NAYS

Dean	Ellington
Total—2	

ABSENT

Mr. President	Bean	Irons
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 602—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 47:463.111, relative to motor vehicle prestige license plates; to provide for the creation of a Louisiana organ donation prestige license plate; to provide for the issuance of such plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title. Senator Dean moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Dean moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 606—
BY REPRESENTATIVE DIEZ
AN ACT

To authorize and provide for the transfer or lease of certain state property in East Baton Rouge Parish to the Department of Transportation and Development; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Bean
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 607—
BY REPRESENTATIVE DIEZ
AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Tammany Parish to the Department of Transportation and Development; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo

May 14, 2003

Fields
Fontenot
Total—37

Lentini
Malone

NAYS

Total—0

ABSENT

Mr. President
Total—2

Bean

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 608—

BY REPRESENTATIVE DIEZ

AN ACT

To authorize and provide for the transfer or lease of certain state property in Webster Parish from Louisiana Tech University to the Department of Transportation and Development; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Fontenot
Total—37

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Total—2

Bean

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 609—

BY REPRESENTATIVE DIEZ

AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Tammany Parish from the Department of Health and Hospitals and the Department of Culture, Recreation and Tourism, to the Department of Transportation and Development; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—36

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Total—3

Bean

Jones, B

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 718—

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact Section 3 of Act No. 520 of the 1993 Regular Session of the Louisiana Legislature, relative to certain land which was dedicated by the state of Louisiana to the Caddo Parish School Board; to provide for reversion of the property to the state; to authorize the sale of improvements made to the property by the school board; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—36

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Total—3

Bean

Jones, B

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 739—

BY REPRESENTATIVE DIEZ

AN ACT

To authorize and provide for the transfer or lease of certain state property in Caldwell Parish from the Department of Health and Hospitals and the Department of Culture, Recreation and Tourism to the Department of Transportation and Development; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 806—

BY REPRESENTATIVES DIEZ AND JOHN SMITH

AN ACT

To authorize and provide for the transfer of certain state property in Vernon Parish from the Department of Transportation and Development to the United States Army; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot

Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—38

Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bean
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 826—

BY REPRESENTATIVE DEWITT

AN ACT

To authorize and provide for the transfer of certain state property in Rapides Parish to the England Economic & Industrial Development District; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 826 by Representative Dewitt

AMENDMENT NO. 1

Delete all Senate Committee Amendments proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 12, 2003.

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—37		

NAYS

May 14, 2003

Total—0

ABSENT

Bean

Dean

Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 850—

BY REPRESENTATIVES MONTGOMERY, BRUCE, AND GLOVER
AN ACT

To amend and reenact R.S. 34:3160(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the rights and powers of such commission; to increase the maximum term of certain contracts, leases, and other agreements which may be entered into by such commission; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo

Total—36

NAYS

Total—0

ABSENT

Bean

Chaisson

Irons

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 896—

BY REPRESENTATIVE PIERRE AND SENATOR ROMERO
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(j), relative to the Department of Natural Resources, including provisions to provide for the re-creation of the Department of Natural Resources and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	

Total—38

NAYS

Total—0

ABSENT

Bean

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 970—

BY REPRESENTATIVE K. CARTER
AN ACT

To authorize and provide for the transfer of certain state property in Orleans Parish to the Regional Transit Authority of the City of New Orleans from the Charity Hospital and Medical Center of Louisiana at New Orleans and the LSU Health Sciences Center, Health Care Services Division; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	

Total—38

NAYS

Total—0

ABSENT

Bean

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1003—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 38:291(D)(1), relative to levee boards and districts; to provide for clarification of the levee district comprised of a certain portion of Jefferson Parish; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullio
Fields	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1168—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To name a certain portion of Louisiana Highway 75 the Point Clair Thruway; and to provide for related matters.

The bill was read by title. Senator Lambert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith

Cravins
Dardenne
Dupre
Ellington
Fields
Fontenot
Total—37

Johnson
Jones, B
Jones, CD
Lambert
Lentini
Malone

Tarver
Theunissen
Thomas
Ullio

NAYS

Dean
Total—1

ABSENT

Bean
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Lambert moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 14, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Education to provide for an emergency education summit to focus on the disparate educational opportunities in certain parishes situated in northeast Louisiana no later than June 1, 2003.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request appointments to the Board of Examiners in Dietetics and Nutrition be made on a timely basis.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 73—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the owners and/or operators of certain towers and other structures to provide the secretary of the Department of Transportation and Development with a listing of their locations and to urge and request the House and Senate committees on transportation, highways and public works to study the practicality and cost benefit of marking and lighting

communications towers and other structures more than one hundred feet and less than two hundred feet in height.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATORS SMITH, ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former United States Senator Russell Billiu Long, son of Huey Pierce and Rose McConnell Long, and nephew of George S. Long, and Earl K. Long.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 81—

BY SENATORS MOUNT, ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of the Honorable William Lasater "Bill" McLeod, Jr. of Lake Charles and the enduring gratitude of the members for his outstanding contributions to the city of Lake Charles and the state of Louisiana, particularly during his twenty-three-year tenure as a distinguished member of the legislature.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 43—

BY SENATOR C. JONES

A RESOLUTION

To congratulate Mrs. Tilla Parker on the occasion of her 100th birthday.

On motion of Senator C. Jones, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 44—

BY SENATOR JOHNSON

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate upon the death of Farhan Ahmed.

On motion of Senator Johnson, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATOR HOLDEN AND REPRESENTATIVE MCVEA

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Vern J. Bidwell, West Feliciana police juror.

The resolution was read by title. Senator Holden moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Marionneaux
Adley	Hines	McPherson
Bajoie	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Total—35		

NAYS

Total—0

ABSENT

Barham	Dardenne
Bean	Gautreaux
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 86—

BY SENATOR Hoyt AND REPRESENTATIVE Frith

A CONCURRENT RESOLUTION

To offer sincere condolences of the Legislature of Louisiana upon the untimely death of Benjamin Trey Duhon, a beloved son, grandson and brother.

The resolution was read by title. Senator Hoyt moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount

Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 87—
BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Judge Charles A. "Corky" Marvin, and to recognize his paramount contributions to the state, to his family and friends, and to his community.

The resolution was read by title. Senator Adley moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 14, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1836—

BY REPRESENTATIVES BAYLOR, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, POWELL, JANE SMITH, SWILLING, DEWITT, ALARIO, ARNOLD, BALDONE, BAUDIN, BOWLER, BROOME, K. CARTER, R. CARTER, CAZAYOUX, CRANE, DAMICO, DANIEL, DEVILLIER, DIEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRUGE, FUTRELL, GALLOT, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TOWNSEND, WALKER, WELCH, WOOTON, AND WRIGHT

AN ACT

To enact R.S. 17:1603, relative to state buildings; to provide that the band hall located on Elton C. Harrison Drive at Southern University at Baton Rouge be renamed the Isaac Greggs Band Hall; to provide that the building in Shreveport known as the Multicultural Center of the South be renamed the Mrs. Balistine Williams Tarver Hopkins Building; and to provide for related matters.

HOUSE BILL NO. 908—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:1751.1, relative to the Municipal Employees' Retirement System of Louisiana; to exempt certain elected officials from making contributions to the system and to provide that they are ineligible for membership; to provide for employer contributions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1432—

BY REPRESENTATIVES DANIEL AND MURRAY

AN ACT

To enact R.S. 36:209(T) and 802.18 and Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1751 through 1753, relative to the Louisiana Purchase Commemorative Act; to establish the Louisiana Purchase Commemorative Act Commission as an agency of the state within the Department of Culture, Recreation and Tourism; to provide relative to the authority and responsibilities of the commission; to establish three funds to receive monies available to purchase land for public parks and green spaces; and to provide for related matters.

HOUSE BILL NO. 1459—

BY REPRESENTATIVES THOMPSON, KATZ, AND MCDONALD

AN ACT

To enact R.S. 40:573(12), relative to Housing Cooperation Law; to provide with respect to housing developments and redevelopment projects; to provide for public hearings; and to provide for related matters.

HOUSE BILL NO. 1325—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:124 and 181 and to enact R.S. 11:183 through 185, relative to administration and duties of retirement boards and committees, to provide for state and statewide retirement systems and the Public Retirement Systems' Actuarial

Committee; to provide for membership, administration, duties, and responsibilities; to provide for education; to provide for quorum requirements, meeting dates, and per diem; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1594—

BY REPRESENTATIVES K. CARTER, BAYLOR, BROOME, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PEYCHAUD, PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH

AN ACT

To enact R.S. 18:18(A)(8), relative to the duties and powers of the secretary of state; to provide for the secretary of state to be responsible for the implementation of voter registration week; and to provide for related matters.

HOUSE BILL NO. 1153—

BY REPRESENTATIVES DOWNER, R. CARTER, FAUCHEUX, TOOMY, AND WELCH

AN ACT

To enact R.S. 33:2012, to enact the Louisiana Fire Service Bill of Rights; and to provide for related matters.

HOUSE BILL NO. 1128—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(D) and (E)(2), relative to the civil jurisdiction of the City Court of Monroe; to increase the jurisdictional amount of the court; and to provide for related matters.

HOUSE BILL NO. 1833—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:1142(A)(introductory paragraph) and (4) and R.S. 40:1428(A)(3), relative to insurance fraud; to provide for licensing; to provide for funding; and to provide for related matters.

HOUSE BILL NO. 1126—

BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 13:2081.3, relative to the City Court of Monroe; to authorize the court to transfer certain funds into the court's general operational account; to provide for expenditure of the funds; and to provide for related matters.

HOUSE BILL NO. 2001—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 24:511, relative to the legislative auditor; to provide for qualifications, term, powers, duties, and functions of the legislative auditor; and to provide for related matters.

HOUSE BILL NO. 2011 (Substitute for House Bill No. 1382 by Representative Lancaster)—

BY REPRESENTATIVES LANCASTER, DEWITT, BRUNEAU, ANSARDI, BALDONE, BOWLER, CAPELLA, MARTINY, SCALISE, SNEED, AND STRAIN

AN ACT

To amend and reenact R.S. 24:35.5(A)(11), (12), (52), (53), (74), (75), (79), (80), (81), and (82), (B), and (C), to provide for the composition of House of Representative Districts Nos. 11, 12, 52, 53, 74, 75, 79, 80, 81, and 82; to provide for the precincts used to compose such districts; to provide for severability; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 52—

BY REPRESENTATIVE GARY SMITH

AN ACT

To enact R.S. 29:732.1, relative to states of emergency; to prohibit telemarketing activity during a declared state of emergency; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 312—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3563.1, relative to the Office of Financial Institutions; to provide for licensure of certain entities; to provide relative to private schools; and to provide for related matters.

HOUSE BILL NO. 696—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 32:57(D) and R.S. 33:1372(B), relative to traffic offenses; to provide for the payment of fines by mail in cases where persons plead nolo contendere; and to provide for related matters.

HOUSE BILL NO. 1377—

BY REPRESENTATIVES DEWITT AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(J), relative to the Medical Malpractice Act; to provide for legal counsel for the Patient's Compensation Fund; and to provide for related matters.

HOUSE BILL NO. 1793—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 47:463.2(A), relative to special personalized prestige license plates for motor vehicles; to increase the fee for issuance of certain special personalized prestige license plates; and to provide for related matters.

HOUSE BILL NO. 1795—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 51:122, relative to monopolies; to provide relative to the capacity of parent entities and wholly owned subsidiaries to conspire; and to provide for related matters.

HOUSE BILL NO. 1808—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Evidence Article 1001(3), relative to the contents of writings, recordings, and photographs; to include certain data within the definition of "original"; and to provide for related matters.

HOUSE BILL NO. 1889—

BY REPRESENTATIVES LUCAS AND MURRAY

AN ACT

To amend and reenact R.S. 9:3516(16)(b) and (23)(b), relative to the Louisiana Consumer Credit Law; to provide with respect to certain fees and charges; and to provide for related matters.

HOUSE BILL NO. 1994—

BY REPRESENTATIVES WELCH, ALEXANDER, BALDONE, BRUCE, CROWE, DOERGE, FANNIN, FRITH, PINAC, GARY SMITH, AND SNEED

AN ACT

To amend and reenact R.S. 37:1861(B)(introductory paragraph) and to enact R.S. 37:1869.1, relative to secondhand dealers; to prohibit the sale of certain articles of clothing by secondhand dealers; and to provide for related matters.

HOUSE BILL NO. 2012 (Substitute for House Bill No. 1422 by Representative Hebert)—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:173.1(C)(introductory paragraph) and to enact R.S. 22:173.1(L), relative to standard nonforfeiture law for individual deferred annuities; to provide for minimum values; to provide for net considerations; to provide for interest rates; to provide for the authority of the commissioner; to provide for rules; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 52—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 29:732.1, relative to states of emergency; to prohibit telemarketing activity during a declared state of emergency; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 312—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3563.1, relative to the Office of Financial Institutions; to provide for licensure of certain entities; to provide relative to private schools; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 696—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 32:57(D) and R.S. 33:1372(B), relative to traffic offenses; to provide for the payment of fines by mail in cases where persons plead nolo contendere; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 908—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:1751.1, relative to the Municipal Employees' Retirement System of Louisiana; to exempt certain elected officials from making contributions to the system and to provide that they are ineligible for membership; to provide for employer contributions; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1126—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 13:2081.3, relative to the City Court of Monroe; to authorize the court to transfer certain funds into the court's general operational account; to provide for expenditure of the funds; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1128—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(D) and (E)(2), relative to the civil jurisdiction of the City Court of Monroe; to increase the jurisdictional amount of the court; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1153—
BY REPRESENTATIVES DOWNER, R. CARTER, FAUCHEUX, TOOMY,
AND WELCH

AN ACT

To enact R.S. 33:2012, to enact the Louisiana Fire Service Bill of Rights; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1325—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:124 and 181 and to enact R.S. 11:183 through 185, relative to administration and duties of retirement boards and committees, to provide for state and statewide retirement systems and the Public Retirement Systems' Actuarial Committee; to provide for membership, administration, duties, and responsibilities; to provide for education; to provide for quorum requirements, meeting dates, and per diem; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1377—
BY REPRESENTATIVES DEWITT AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.41(J), relative to the Medical Malpractice Act; to provide for legal counsel for the Patient's Compensation Fund; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1432—
BY REPRESENTATIVES DANIEL AND MURRAY
AN ACT

To enact R.S. 36:209(T) and 802.18 and Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1751 through 1753, relative to the Louisiana Purchase Commemorative Act; to establish the Louisiana Purchase Commemorative Act Commission as an agency of the state within the Department of Culture, Recreation and Tourism; to provide relative to the authority and responsibilities of the commission; to establish three funds to receive monies available to purchase land for public parks and green spaces; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1459—
BY REPRESENTATIVES THOMPSON, KATZ, AND MCDONALD
AN ACT

To enact R.S. 40:573(12), relative to Housing Cooperation Law; to provide with respect to housing developments and redevelopment projects; to provide for public hearings; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1594—
BY REPRESENTATIVES K. CARTER, BAYLOR, BROOME, CURTIS,
GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L.
JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PEYCHAUD,
PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH
AN ACT

To enact R.S. 18:18(A)(8), relative to the duties and powers of the secretary of state; to provide for the secretary of state to be responsible for the implementation of voter registration week; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1793—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 47:463.2(A), relative to special personalized prestige license plates for motor vehicles; to increase the fee for issuance of certain special personalized prestige license plates; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1795—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 51:122, relative to monopolies; to provide relative to the capacity of parent entities and wholly owned subsidiaries to conspire; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1808—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Evidence Article 1001(3), relative to the contents of writings, recordings, and photographs; to include certain data within the definition of "original"; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1833—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:1142(A)(introductory paragraph) and (4) and R.S. 40:1428(A)(3), relative to insurance fraud; to provide for licensing; to provide for funding; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1836—

BY REPRESENTATIVES BAYLOR, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, POWELL, JANE SMITH, SWILLING, DEWITT, ALARIO, ARNOLD, BALDONE, BAUDOIN, BOWLER, BROOME, K. CARTER, R. CARTER, CAZAYOUX, CRANE, DAMICO, DANIEL, DEVILLIER, DIEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRUGE, FUTRELL, GALLOT, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TOWNSEND, WALKER, WELCH, WOOTON, AND WRIGHT

AN ACT

To enact R.S. 17:1603, relative to state buildings; to provide that the band hall located on Elton C. Harrison Drive at Southern University at Baton Rouge be renamed the Isaac Greggs Band Hall; to provide that the building in Shreveport known as the Multicultural Center of the South be renamed the Mrs. Balistine Williams Tarver Hopkins Building; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1889—

BY REPRESENTATIVES LUCAS AND MURRAY

AN ACT

To amend and reenact R.S. 9:3516(16)(b) and (23)(b), relative to the Louisiana Consumer Credit Law; to provide with respect to certain fees and charges; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1994—

BY REPRESENTATIVES WELCH, ALEXANDER, BALDONE, BRUCE, CROWE, DOERGE, FANNIN, FRITH, PINAC, GARY SMITH, AND SNEED

AN ACT

To amend and reenact R.S. 37:1861(B)(introductory paragraph) and to enact R.S. 37:1869.1, relative to secondhand dealers; to prohibit the sale of certain articles of clothing by secondhand dealers; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 2010 (Substitute for House Bill No. 1044 by Representative Murray)—

BY REPRESENTATIVE MURRAY

AN ACT

To authorize the Milne Home for Girls to operate as an adult residential care home; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 2011 (Substitute for House Bill No. 1382 by Representative Lancaster)—

BY REPRESENTATIVES LANCASTER, DEWITT, BRUNEAU, ANSARDI, BALDONE, BOWLER, CAPELLA, MARTINY, SCALISE, SNEED, AND STRAIN

AN ACT

To amend and reenact R.S. 24:35.5(A)(11), (12), (52), (53), (74), (75), (79), (80), (81), and (82), (B), and (C), to provide for the composition of House of Representative Districts Nos. 11, 12, 52, 53, 74, 75, 79, 80, 81, and 82; to provide for the precincts used to compose such districts; to provide for severability; to provide for effectiveness; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 2012 (Substitute for House Bill No. 1422 by Representative Hebert)—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:173.1(C)(introductory paragraph) and to enact R.S. 22:173.1(L), relative to standard nonforfeiture law for individual deferred annuities; to provide for minimum values; to provide for net considerations; to provide for interest rates; to provide for the authority of the commissioner; to provide for rules; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 14, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide much needed economic and budgetary aid to Louisiana and all the states by enacting a balanced tax cut together with fiscal relief

for the states that will stimulate the economy and prevent cuts in vital services.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 156— BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide much needed economic and budgetary aid to Louisiana and all the states by enacting a balanced tax cut together with fiscal relief for the states that will stimulate the economy and prevent cuts in vital services.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Finance.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

Senator Hollis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 14, 2003

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

SENATE BILL NO. 106— BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421, relative to deceptive and unfair trade practices; to provide that a business may not require or obtain certain personal information for certain transactions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 483— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 43:111(A)(9) and R.S. 51:1319(A)(2) and (B)(5) and to enact R.S. 43:111(A)(10) and R.S. 51:1319(B)(6), relative to authorization for advertising within the Louisiana Retirement Development Commission; to provide relative to authorization for the commission to develop guidelines to award a "Livable Louisiana Retirement Ready Community" seal of approval; to provide relative to authorization for the commission to purchase, print, and distribute advertisements, informational publications, and other promotional materials to promote Louisiana as a retirement state; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 749— BY SENATOR HAINKEL

AN ACT

To enact R.S. 25:318, relative to funding for the arts and entertainment industry; to create the Louisiana Arts and Entertainment Industry Development Fund as a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for its investment and use; to provide funding qualification requirements; to provide limitations on the investment of monies from the fund in a single qualified business; to provide for annual reports; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1073— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 32:1254(N)(6)(b) and (c), and 1254(U)(1), relative to motor vehicle dealership contracts; to provide for the cancellation of franchise dealership agreements; to provide for notice of cancellation or nonrenewal of a franchise agreement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1081— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 6:824(A)(1), relative to repayment of loans; to delete the minimum sixty-one day grace period; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

Senator Schedler, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 14, 2003

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE RESOLUTION NO. 8— BY SENATOR MCPHERSON

A RESOLUTION

To establish a task force to study the outbreak of West Nile virus in Louisiana and the control of the virus through mosquito abatement.

Reported with amendments.

SENATE RESOLUTION NO. 28— BY SENATOR CRAVINS

A RESOLUTION

To urge and request the Senate Committee on Health and Welfare to review the actions of, and the laws applicable to, the Louisiana State Board of Social Work Examiners.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 57—

BY SENATOR THOMAS

A CONCURRENT RESOLUTION

To continue the efforts of the Task Force on the Working Uninsured to study and make further recommendations regarding possible solutions to Louisiana's serious problem of many working citizens who are without health insurance.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

Reported favorably.

SENATE BILL NO. 257—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), and to enact R.S. 40:1299.41(A)(21), relative to the Medical Malpractice Act; to include extracorporeal therapist in the definition of a "health care provider"; to provide for the definition of "extracorporeal therapist"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 310—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:1267 and to enact R.S. 37:1285.1, relative to the Louisiana State Board of Medical Examiners; to provide for hearing panels; to provide for a written report to the board; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 315—

BY SENATOR SCHEDLER

AN ACT

To enact Part III of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1331 through 1344, relative to the practice of perfusion; to provide for the licensure of qualified medical technicians to practice perfusion; to provide definitions; to create the Advisory Committee on Perfusion and provide for its membership and duties; to provide for fees; to provide for penalties; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 326—

BY SENATOR BAJOE

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a stipend to child care workers who obtain child care training from programs approved by the bureau of licensing within the Department of Social Services; to require the Department of Social Services to establish the amount of the stipend to be paid; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 357—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:16.1, relative to the procedure for the sale or lease of state-owned facilities; to provide for the dedication of the proceeds of the sale of mental health clinics located in parishes of a particular population; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 542—

BY SENATOR IRONS

AN ACT

To enact Part VI-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2177.1 through 2177.6; to provide for the licensure of alternate health care models; to provide for the establishment of children's comfort care center programs; to repeal Part VI-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2176.1, relative to a pilot program for children's comfort care centers; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 867—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact Subpart C-2 of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1519 through 1519.11, and to repeal R.S. 46.6; relative to the Louisiana State University Health Sciences Center-Health Care Services Division; to provide for definitions; to provide for structure, duties, powers, and responsibilities of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to govern the division; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
TOM SCHEDLER
Chairman

REPORT OF COMMITTEE ON

INSURANCE

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 14, 2003

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

SENATE BILL NO. 666—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 22:2002(3) and (6) and to enact R.S. 22:2004.2 and 3018.1, relative to health insurance; to require coverage for low protein food products to treat certain diseases by certain health organizations and self-insured entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1434—

BY REPRESENTATIVES HEBERT AND MORRISH
AN ACT

To amend and reenact R.S. 22:642, relative to assignment of policies; to provide for viatical settlement providers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1435—

BY REPRESENTATIVES HEBERT AND BAYLOR
AN ACT

To amend and reenact R.S. 22:163(A)(1), relative to life insurance policies; to provide for morality, interest, and other standards; to provide for policies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1436—

BY REPRESENTATIVES HEBERT AND FAUCHEUX
AN ACT

To enact R.S. 22:170(D) and 176(14), relative to standard provisions of life insurance policies and group life policies; to provide for lump sum payment to the beneficiary; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1444—

BY REPRESENTATIVES HEBERT AND CAPELLA
AN ACT

To amend and reenact R.S. 22:844.3, relative to the loaning of securities by domestic insurers; to provide for market value; to provide for custodian; to provide for collateral; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1445—

BY REPRESENTATIVES HEBERT AND TUCKER
AN ACT

To amend and reenact R.S. 22:844(A)(4), relative to investments by domestic insurers; to provide for bonds by public entities; to provide for limits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1446—

BY REPRESENTATIVES HEBERT AND FAUCHEUX
AN ACT

To enact R.S. 22:176.1, relative to group life insurance; to provide for exclusion; to provide for restrictions; to provide for exceptions; to provide for liability; to provide for contestability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1466—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:213.6(A)(introductory paragraph), 213.7(A)(12), 215(A)(1)(introductory paragraph) and (a)(i) and (E), 215.4(A), 215.5(A) and (B), 215.7(A)(introductory paragraph), 215.9(A), 215.11(C), 215.15(A), 215.17(A)(1), 215.20(B), 215.21(A), 227(A) and (B), 228.7(A), 230.1(A), 652.3(A)(1), 669(A)(2)(a) and (3)(a), 1214(15)(c)(ii), 1460, and 1513(A)(4) and to repeal R.S. 22:215(A)(1)(c) and (4), relative to health insurance; to redesignate "franchise" coverage to "association" coverage; to provide for readjustment of rate premium; to provide relative to franchise health and accident rates; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1477—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:982(A)(13) and 983(B) and to enact R.S. 22:987(A)(19), relative to foreign and alien insurers; to provide for certificate of authority; to provide for deposits; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1484—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:71.1(C)(1), relative to domestic stock insurers; to provide for certificate of authority; to provide for requirements; to provide for issuance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1485—

BY REPRESENTATIVES HEBERT AND FRUGE
AN ACT

To amend and reenact R.S. 22:6(16), relative to credit insurance; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1509—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:1, relative to the Insurance Code; to provide for Title 22; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1511—

BY REPRESENTATIVES HEBERT AND CAPELLA
AN ACT

To amend and reenact R.S. 22:1458, relative to the duration of licenses; to provide for surplus line brokers' licenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1512—

BY REPRESENTATIVES HEBERT AND MORRISH
AN ACT

To amend and reenact R.S. 22:650, relative to insurance claims; to require insurers to provide proof of loss forms; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1537—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:675(C)(2) and (5), relative to insurance; to provide for stop-loss; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GREGORY TARVER
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 14, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

SENATE BILL NO. 114—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 539—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 110(B)(1), 197, 402(B), and (F)(2), 431(A)(1)(b), 433(G)(1) and (H)(1)(introductory paragraph), 434(A)(1), (C)(introductory paragraph), and (D), 435(A) and (B), 436, 453, 467(2), 468(A), 552(A)(introductory paragraph), 1272(A), 1278(B), 1279, 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (D), 1308(A)(2)(a), 1311(D)(5)(a), 1314(C)(1) and (2) and (D), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and to enact R.S. 18:1275.1 through 1275.24, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 787—
BY SENATOR MICHOT

AN ACT

To amend and reenact the introductory paragraph of R.S. 44:3(A), relative to public records; to prohibit disclosure of certain records for utility systems owned and operated by political subdivisions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 883—
BY SENATOR MALONE

AN ACT

To enact R.S. 44:4(37), relative to records of the office of conservation; to exempt certain records from public records laws; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1001—
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 43:31(A)(1) and (2), relative to printed matter prohibitions and uniform standards; to provide a set paper size for the printing of certain printed matter by state agencies; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1075—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 42:5(D) and to repeal R.S. 42:5.1, relative to public meetings; to provide that public comments at school board meetings shall comply with the same standard as other public bodies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1094—
BY SENATOR THOMAS

AN ACT

To enact R.S. 42:1119(B)(2)(a)(iii), relative to ethics; to permit an electrician who is the immediate family member of a school board member to be employed in the parish of that member; to provide that the exception shall only apply in parishes with a certain student enrollment population; to provide that the immediate family member of the school board member shall be an experienced electrician; to provide that a school board member shall recuse himself from voting on matters which involve promotion or assignments of such immediate family member; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1083 from the Committee on Health and Welfare.

SENATE BILL NO. 1083—
BY SENATOR SMITH

AN ACT

To enact R.S. 37:1182(22), relative to the powers and duties of the Louisiana Board of Pharmacy; to provide for rules to allow pharmacists to administer a nasal flu vaccine; to provide such administration of a nasal vaccine to be available only to specific age groups; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and withdrawn from the files of the Senate.

Motion to Make Special Order

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of making House Bill No. 424, which is on Third Reading and Final Passage, Subject to Call, Special Order of the Day No. 1 on Monday, May 19, 2003 immediately following the Morning Hour.

Motion to Make Special Order

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of making House Bill No. 531, which is on Third Reading and Final Passage, Subject to Call, Special Order of the Day No. 2 on Monday, May 19, 2003 immediately following the Morning Hour.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 13, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the practicality and feasibility of installing lighting systems at heavily traveled intersections along rural state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2004 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to promulgate rules and regulations as provided for in R.S. 48:295.1 et seq.

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to overlay Louisiana Highway 3127.

HOUSE CONCURRENT RESOLUTION NO. 64—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair and overlay Louisiana Highway 405.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE QUEZAIRE AND SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to make road improvements to a certain portion of Louisiana Highway 44.

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVES MONTGOMERY, BAYLOR, FARRAR, FAUCHEUX, HILL, HUNTER, LANDRIEU, ODINET, TOWNSEND, FRITH, JANE SMITH, AND WADDELL

A CONCURRENT RESOLUTION

To direct the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means to study the impact of the Constitutional Amendment, commonly referred to as the "Stelly Plan", on individual taxpayers and the state budget.

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVES JACK SMITH AND DARTEZ

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges and the Louisiana Board of Regents to take steps necessary to provide for the expansion of the Morgan City Young Memorial Campus of the Louisiana Technical College.

HOUSE CONCURRENT RESOLUTION NO. 147—

BY REPRESENTATIVES MORRELL, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH AND SENATORS BAJOE, BOISSIERE, CRAVINS, FIELDS, IRONS, JOHNSON, C. JONES, AND TARVER

A CONCURRENT RESOLUTION

To commend the citizens of Louisiana who promote and celebrate Black History Month and to encourage all citizens to make an effort to organize and participate in activities and programs commemorating Black History Month.

HOUSE CONCURRENT RESOLUTION NO. 151—

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend the Parents Resource Institute for Drug Education of St. Tammany Parish and Washington Parish and commends the St. Tammany Troupe for being named national PRIDE Team of the Year.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 14, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request that Louisiana State University Health Sciences Center and Tulane University Medical Center cooperate with Aneurysm Outreach, Inc., a Louisiana nonprofit organization dedicated to mobilizing people and resources to eradicate aneurysms, by assisting in the provision of portable ultrasound technology and necessary staff to develop a system to provide aneurysm screening statewide for those considered to be most at risk.

SENATE CONCURRENT RESOLUTION NO. 66—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To urge and request the Atchafalaya Basin Program to study Henderson Lake, located in the Atchafalaya Basin Swamp, and to make recommendations for its long-term viability including water quality, recreation features, economic development, and tourism.

Respectfully submitted,

CHRIS ULLO

Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 14, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 99—

BY SENATORS CAIN, FONTENOT, HOLLIS, HOYT AND MCPHERSON
AND REPRESENTATIVES BEARD AND DANIEL
AN ACT

To amend and reenact R.S. 36:358(C), R.S. 38:3076(A)(introductory paragraph), and R.S. 49:968(B)(11), to enact R.S. 36:359(K) and 802.18, R.S. 38:3076(A)(24), 3087.136(4), and Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of 3097.1 through 3097.6, and to repeal R.S. 36:4(X) and Chapter 13-C of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3099.1 through 3099.4, relative to ground water resources in the state of Louisiana; to provide for the powers, duties, functions, and responsibilities of the commissioner of conservation relative to ground water management; to create the Ground Water Resources Commission; to provide for the powers, duties, functions, and responsibilities of the commission; to provide for determination of critical ground water areas; to provide for preservation and management of ground water resources in critical ground water areas; to provide for duties of the Sparta Groundwater Conservation District and the Capital Area Groundwater Conservation District; to provide for registration for certain water wells; to provide for the Ground Water Management Task Force; and to provide for related matters.

SENATE BILL NO. 210—

BY SENATOR BARHAM AND REPRESENTATIVES MCDONALD AND THOMPSON
AN ACT

To authorize and empower the Department of Wildlife and Fisheries to sell or exchange or otherwise transfer title to certain property in Ouachita and Morehouse parishes; to provide for the use of proceeds derived from any sale of such property; and to provide for related matters.

SENATE BILL NO. 246—

BY SENATOR SMITH AND REPRESENTATIVE SALTER
AN ACT

To authorize the state to exchange and convey title to certain property in Sabine Parish for certain property owned by Blue Lake Village, Incorporated; and to provide for related matters.

SENATE BILL NO. 463—

BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR
AN ACT

To authorize and provide for the transfer of certain state property, together with all buildings and improvements thereon, located in Rapides Parish, to the Department of Culture, Recreation and Tourism; to require completion of certain conditions prior to transfer; and to provide for related matters.

SENATE BILL NO. 485 (Duplicate of House Bill No. 164)—
BY SENATOR HOLLIS AND REPRESENTATIVES PINAC AND MURRAY
AN ACT

To enact R.S. 6:506(E) and 507(D), relative to financial institution branch offices; to provide for leased branch offices; to provide for waiver of certain closure requirements; and to provide for related matters.

SENATE BILL NO. 487 (Duplicate of House Bill No. 185)—
BY SENATOR HOLLIS AND REPRESENTATIVE PINAC AND
COAUTHORED BY SENATOR MICHOT AND REPRESENTATIVE
MURRAY
AN ACT

To amend and reenact R.S. 6:231(C), relative to amendments to the articles of incorporation of banks; to provide a procedure for after-the-fact approval of amendments to articles; and to provide for related matters.

SENATE BILL NO. 489 (Duplicate of House Bill No. 313)—
BY SENATOR HOLLIS AND REPRESENTATIVE PINAC AND
COAUTHORED BY SENATOR MICHOT AND REPRESENTATIVE
MURRAY
AN ACT

To amend and reenact R.S. 6:937 and 1207, relative to dividends and capital surplus; to revise certain dividend and capital surplus requirements; and to provide for related matters.

SENATE BILL NO. 496 (Duplicate of House Bill No. 190)—
BY SENATOR HOLLIS AND REPRESENTATIVE PINAC AND
COAUTHORED BY SENATOR HEITMEIER AND REPRESENTATIVE
MURRAY
AN ACT

To amend and reenact R.S. 6:351(C) and 352.1(A), (B)(introductory paragraph), and (H)(2) and to repeal R.S. 6:352.1(H)(3) and (4), relative to share exchanges; to revise the definition of share exchange procedures between state financial institutions; to require commissioner approval for share exchanges; to require shareholder approval for share exchanges; to eliminate certain filing requirements with the commissioner; and to provide for related matters.

SENATE BILL NO. 574 (Duplicate of House Bill No. 1871)—
BY SENATOR DARDENNE AND REPRESENTATIVE MURRAY AND
COAUTHORED BY SENATORS SCHEDLER AND MOUNT
AN ACT

To amend and reenact R.S. 46:231(5), 231(6), 231(8), 231.1(A) and (B), 231.3(A) and (B), 231.5(A), 231.6(A)(2), (B), and (C)(1) and (4), 231.7(A), (B), (C), and (D), 231.8(A) and (B), 231.10, 231.11, 460.4(A), 460.5(B)(3)(b)(iii), 460.8(A), and 460.9(A), and to enact R.S. 46:230.1, 231(12), 231(13), and 231(14), and 231.6(D) and (E), and to repeal R.S. 46:231.12, and 460.4(B); relative to aid to needy families; to provide for legislative intent; to provide for definitions; to provide for certain required agreements; to provide for termination of eligibility; to provide for responsibilities of the Department of Social Services; to provide for responsibilities of the Louisiana Workforce Commission; to provide for evaluations and screenings; to provide for transition of programs; and to provide for related matters.

SENATE BILL NO. 779 (Duplicate of House Bill No. 1669)—
BY SENATOR SMITH AND REPRESENTATIVE THOMPSON AND
COAUTHORED BY REPRESENTATIVES R. CARTER, BAUDOIN,
CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, MORRISH, JACK
SMITH AND STRAIN
AN ACT

To amend and reenact Part VI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:551.1 through 551.12, relative to the production and sale of eggs in Louisiana; to provide relative to the composition of the Louisiana Egg Commission; to provide relative to the authority of the commission and the authority of the commissioner of agriculture and forestry to regulate the egg business; to provide relative to research on and marketing of eggs; to provide for fees and

assessments; to provide relative to certain violations and penalties therefor; and to provide for related matters.

SENATE BILL NO. 691 (Duplicate of House Bill No. 519)—
BY SENATOR ULLO AND REPRESENTATIVE JOHNS AND
COAUTHORED BY SENATOR SCHEDLER AND REPRESENTATIVES R.
CARTER AND FRUGE

AN ACT

To enact R.S. 37:1737, relative to immunity from liability; to exempt from liability those engaged in certain "Amber Alert" activities; to provide immunity to state and local law enforcement, radio, television and cable operators, the Lottery Corporation and those associations and foundations engaged in the "Amber Alert" effort; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 14, 2003

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 45—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 56:332(E)(1) and (G) and to enact R.S. 56:332(M), relative to a program for removal of abandoned crab traps; to authorize the Louisiana Wildlife and Fisheries Commission to establish such a program; to require promulgation of rules and regulations under the Administrative Procedure Act; and to provide for related matters.

SENATE BILL NO. 718 (Duplicate of House Bill No. 225)—
BY SENATOR HOLLIS AND REPRESENTATIVE PINAC AND
COAUTHORED BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 6:217(B) and (C), 232(C), 352.1(H)(4), 361(B)(2), 364.1(B), 365.1(A)(4), 366(E), 367(B)(7), 706(D), (E), and (F), 721(C)(4), (D), and (F), 862, 863(B), 868(E), 938(C), 1273(C), and 1284(5), relative to financial institution filing requirements; to eliminate document filing requirements with the secretary of state; and to provide for related matters.

SENATE BILL NO. 791 (DUPLICATE OF HOUSE BILL NO. 1658)—
BY SENATOR BARHAM AND REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 47:301(16)(l), relative to political subdivision sales tax; to provide that tangible personal property shall not include other constructions permanently attached to the land; and to provide for related matters.

SENATE BILL NO. 798 (Duplicate of House Bill No. 471)—
BY SENATOR BAJOE AND REPRESENTATIVE SHAW

AN ACT

To amend and reenact R.S. 37:1358(B), relative to acupuncturists; to revise certain employment and supervision requirements for acupuncturist's assistants; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Bean	1 Day	Chaisson	½ Day
Cravins	½ Day	Dardenne	½ Day
Holden	½ Day	Irons	½ Day
Michot	½ Day	Tarver	½ Day

Adjournment

Senator Lambert moved that the Senate adjourn until Thursday, May 15, 2003, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, May 15, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk